

The Nation.

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The Week.

IN selecting Mr. Edwards Pierrepont as Mr. Williams's successor, the President has made a fortunate choice, and taken a step in the reconstruction of the *personnel* of the Administration which was much needed. Mr. Pierrepont, if not in the first rank among lawyers, has a respectable standing, and brings to the office a great native shrewdness, long professional training, and skill in the management of causes. If he can manage to forget that there is such a thing as the stump, or that nominations for the Presidency will take place next year, he will, we have no doubt, do much to redeem the Department of Justice from the disgrace brought upon it by Mr. Williams. Under the latter's incumbency it may be said to have reached the lowest point of degradation to which the chief legal office of a free government could well fall. As Attorney-General, armed with powers never till within two or three years given to any American legal official, Mr. Williams wielded throughout half the country an almost autocratic authority, while apparently ignorant of the elementary principles of law, and having so low a reputation in his profession that he was actually forced by public opinion to withdraw his own nomination for the Supreme Bench from the consideration of the Senate. Obtaining his place as the reward of party service and using it for party ends, it would be difficult to imagine any worse illustration of the sort of contempt of decency and popular opinion that long-continued power breeds than is given by his case.

The cruel treatment of Pennsylvania by the President in the selection of Cabinet officers seems to be beginning to attract attention. During the six years of the present Administration, it is said by those who have kept a careful account of the actual changes, Pennsylvania has had no representative in the Cabinet except Mr. Borie, who was a short time in the Navy Department. New York has the Attorney-General and the Secretary of State, and yet New York is a Democratic State. Mr. Bristow is from Kentucky, and Kentucky is a Democratic State. Mr. Delano brings whatever strength he contributes to the party from Ohio, which is also Democratic. Mr. Jewell comes from Connecticut, which is also Democratic. The Secretary of War, Mr. Belknap, does indeed come from Iowa, which is a Republican State, but this is a small representation for the whole party. Pennsylvania, the great Republican State, without which the next Presidential election must certainly be lost, is treated with contumely and neglect; and it is suggested to the President that as soon as Mr. Delano goes out of office, he had better appoint as his successor a Pennsylvanian. We suppose, however, that the President has made up his mind that keeping States up to their work by giving them Cabinet offices is a mistaken policy. He tried it thoroughly with Massachusetts, made Judge Hoar his Attorney-General, gave the Treasury first to Boutwell and then to Richardson, keeping General Butler meanwhile as general counsellor and friend, in fact, recognizing and rewarding Massachusetts talents wherever they showed themselves. Nevertheless, it had not the slightest effect, and the State is now under a Democratic Governor. The opposite plan tried with Pennsylvania has worked like a charm, and if the President will take our advice he will not change it.

When Professor Marsh, of Yale College, was digging for fossils last fall in the deserts of Wyoming, surrounded by hostile Indians, and with the thermometer below zero, he furnished a good illustration of the enthusiasm and, possibly some might add, of the fanaticism of science. But if one of the secondary results of his expedition shall be to send a ray of light into the dark turmoil of "our

Indian difficulties," that must be a very hard-headed materialist indeed who should begrudge a subscription to the next scientific expedition which goes in search of old bones. The exhumation of samples of the flour, sugar, coffee, and tobacco furnished the Indians doubtless gave a greater surprise to the Government agents than the fossils will ever give to the comparative anatomist. In one of the Professor's conferences with the Indians, Red Cloud, a noted chief of the Sioux, complained bitterly that the Great Father at Washington was not keeping his promises made to the tribe, but had sent out agents who cheated the Indians. Professor Marsh immediately offered to carry to the President any complaint which the Indians might make. Thereupon Red Cloud brought out from his tent the samples above-mentioned, and requested the Professor to take them to Washington and show them to the President. This the Professor promised to do, and recently, while attending the sessions of the National Academy of Sciences, obtained an interview with the President, and put before him the burnt coffee, the dark-colored flour, the inferior sugar, and the bad tobacco given him by Red Cloud. The effect of this simple action was most striking. The President was deeply impressed, and declared that justice should be done. Commissioner Smith was deeply impressed also, though in a different way, declaring, in substance, first, that the affair was a "put-up job," and that Red Cloud had "doctored" the articles given to Professor Marsh; second, that he already knew that the agent was not as good a man for the place as he could wish; third, that no agent could be honest on a salary of \$1,500 per year.

The Board of Indian Commissioners, stirred by reports of the interview between the President and the Professor, held a meeting in this city last week, invited Professor Marsh to meet them at the Fifth Avenue Hotel, and requested him to address them on Indian affairs. He replied with their request, giving them an account of his trip, his interviews with the Indians, and the request of Red Cloud. Then, in answer to questions, he gave a talk upon Indian affairs in general; in which talk, it is safe to say, was compressed much information and good sense. Professor Marsh's statements derive additional force from the fact that he is not a professed philanthropist, reformer, or politician. He gives simply the result of observations which he could not help making at a time when he was attending to other and to him more important business. What the result of this agitation may be cannot be safely prophesied; but it is not possible to repress a wish that the entire control of Indian affairs might be put into the hands of Professor Marsh and a few other men of the like breadth of view, with full power not merely to decide all questions pertaining thereto, but also to purchase and distribute all supplies, perhaps also with absolute power of life and death over the members of any and all Indian Rings and conniving Secretary of the Interior and his immediate family within the recognized degrees.

Judge Kelley of Pennsylvania has just returned from the South, and has been giving an account of what he saw and heard. The Judge was chiefly struck, it seems, by two things: first, by the general prostration of industry; and, second, by the peaceful, sober, and almost civilized character of the population. No outrages, no murders, no rivers of blood, no deadly race-hostilities, no heaps of one-legged soldiers and Union men lying by the roadside with their throats cut from ear to ear, no half-interred corpses over which a flag was flying bearing the inscription, "This man voted the Radical ticket"—in fact, nothing but peace and quietness. The *Tribune* correspondent speaks of him as deeply regretting his vote in favor of the Force Bill, and stating his conviction to be that the only thing needed by the South for a revival from its present prostration is plenty of currency. The conversion of the Judge on the subject of the Force Bill is very gratifying, but we should like to know

what made him think two months ago that the bill was necessary, and why he should suppose that a tour of observation in the South gives him any right to an opinion as to the condition of the country or the temper of the population. We have always understood that the bloody outrages and murders committed by the Southerner were to be inferred from his known desire to exterminate the negro and the Union man. If the temper and disposition of the South are to be deduced from tangible, actual, visible facts, what is to become of the grand old party?

Nevertheless, we hail Mr. Kelley's conversion to the ordinary processes of reasoning on these subjects with satisfaction, and tender him the right hand of fellowship on all subjects save the currency. With regard to this, we must direct his attention to the condition of California, and ask him to apply to that State the rule as to the relation between the currency and the wealth of nations which he lays down with regard to the South. In the South, business is in a very depressed condition, and they have very little currency. It is easy to see that if they were supplied with currency by the Government, they would become rapidly prosperous. But in California they have no currency at all. The benighted population have steadily declined for fifteen years to allow the use of greenbacks as currency, and have on the contrary stuck to gold and silver. The hopeless condition to which the State is now reduced is shown by some statistics as to mining, agriculture, and immigration now going the rounds of the newspapers. For the first three months of this year the earnings of the Central Pacific Railroad were twenty per cent. above those of the corresponding period of 1874. The Western movement of passengers in 1874 for this period was 7,599; for 1875, 13,920; and the rush of immigration is now so great that the Central Railroad is taxed to its utmost to supply rolling-stock. The yield of wool, wine, grain, and tobacco promises to be enormous, and mining was never more profitably carried on than at present. California is, in fact, now the most prosperous part of the country. What it might have become with a really good, elastic currency probably only Mr. Henry C. Carey could tell us.

The difficulty of discovering the exact nature of the government of Louisiana, who carries it on, where it is, and whether its nature is that of an American State or a sort of Washington protectorate, does not seem to have altogether disappeared. The "Wheeler Compromise" is now generally admitted to be the fundamental law of the State, but what the Wheeler Compromise is, no two people seem able to agree. Referring to the action of the Louisiana Legislature in unseating some of its members just before its adjournment, we said that this was no violation of the Compromise, which only restored the expelled Democratic members and secured Kellogg from impeachment for past offences, and therefore did not prevent the Democratic majority from turning out other persons, if necessary and proper. The reason we said so was that Mr. Clarkson N. Potter, one of the Louisiana Committee, had publicly stated that, "so far as he understood, there was nothing in the arrangement by which the gentlemen who submitted their claims to the arbitrators were to be prevented, after being seated, from passing upon the right of any other person to a seat in that body whose claim had not been the subject of our [the arbitrators'] award." Mr. Potter said he had seen no copy of the agreement, and we certainly never had; but we supposed that he, if anybody, must know. The *Boston Journal* now informs us that we do not know what the Compromise is, and quotes from it as follows: "And that the House of Representatives, as to its members as constituted under the award of George F. Hoar, William A. Wheeler, William P. Frye, and Samuel S. Marshall, shall remain without change, except by death or resignation of members, until a new general election."

This certainly looks as if the Louisiana Conservatives had been guilty of sharp practice in unseating four members; but we under-

stand their side of the case to be this: These four unseated Republicans were not on the original roll of the Returning Board at all, but were admitted without any pretence of an election whatever by the Assembly after the expulsion of the five Democratic members by the troops, solely for the purpose of getting a quorum. These four men had, therefore, nothing whatever to do with the legislature; their names were not on the list made out by the Returning Board and presented to the Wheeler Committee; and the roll of the Assembly is now precisely the roll of the Returning Board, as revised by the Wheeler Committee. We do not vouch for these facts; but certainly, if they are facts, Mr. Wheeler ought to come forward and state as much, and relieve a large number of Republican editors of the terrible anticipation of a rising of the Louisianians now preying on their minds. We must remind the *Boston Journal*, by the way, that all we originally said about the adoption of the Wheeler Compromise was, that it showed sagacity and moderation; and that the adoption of such a compromise proved that the Southerners were not such bloodthirsty desperadoes as they were painted. We never have maintained, nor should we for a moment think of maintaining, that Southern politicians are incapable of sharp practice. But, if their unseating these four members was a piece of sharp practice, it would only be an additional indication of there being no very great diversity of morals between one part of the country and another, and that the work of government is carried on in Louisiana by much the same sort of agencies as those which control politics in Ohio or New York.

General W. F. Bartlett made at the Lexington Centennial an excellent speech on the relations of North and South, and since his return to Richmond has been serenaded by a number of ex-Confederates headed by General Bradley Johnson, and made a second speech, which seems to have given his Southern audience as much satisfaction as the other did his Northern. No one has a better right than General Bartlett to speak in the interests of reconciliation and good-will, for no one during the war saw more or harder service on the Northern side, nor since the war has been in a better position to estimate the real temper and feeling of the best class of Southerners. Not being in public life, either, and having, it may be inferred from his speech last summer at Cambridge, a profound contempt for the average politician, what he says on occasions of this sort has a stamp of genuine earnestness which is apt to be wanting in the orations of gentlemen running for office. Notwithstanding this oratorical advantage, however, we must say that we regret that General Bartlett is not in public life. The reason is, of course, that he is not a sufficiently "practical" man, but thinks that government should be carried on for public objects, by men of principle and character. Men of this aristocratic and fastidious tone of mind never understand what the people want, and the Williamses, Delanos, and Shepherds seldom feel that it is safe to trust them with too much power.

A new liquor-law went into operation in Massachusetts last Saturday. The alternations of public feeling on the liquor question in that State, passing from prohibition to license, and from license to prohibition, almost with the regularity of the beats of a pendulum, furnish a striking illustration of the small extent to which legislation on many subjects is influenced by matured reflection upon relevant facts. The present is a "stringent license" law, so-called, and, in view of the fact that "the disaster and disgrace of a license law" would soon be upon them, the Massachusetts Temperance Alliance have issued an address to "the friends of our cause throughout the commonwealth." The spirit of the address may be inferred from the statements that "the liquor-shop is again to be an institution of the State"; that "lamentation is useless; nor have we any words to waste over the details of the law. When it fails, as it assuredly will, let its failure be accepted as the inevitable result of all such laws." After urging all prohibitionists to do what can be done towards the prevention of the granting of

licensees, the address adds: "Finally, having done faithfully the duties of the hour, let us fix our minds and hearts upon the repeal of this iniquity, framed into a law." So long as a considerable portion of the people of Massachusetts allow themselves to be swayed by the feelings begotten of an *à priori* theory upon the liquor question, it is idle to expect that any legislation whatever upon this subject will do much good. It may be said, however, that the new law goes into operation with the aid of the unusually favorable circumstance that the Governor of the State, the Mayor of the city of Boston, and a majority of the members of the legislature, really believe it to be a good law. So important a concurrence of opinion has not been known for very many years.

The State of Michigan has, unlike Massachusetts, adhered strictly to Prohibition for twenty years, and a clause in the State constitution forbids the introduction of a license system. The growth of population, however, and other causes have brought about a change of sentiment, and the State has now passed a law not licensing but taxing the sale and manufacture of spirituous liquors. Of course this is nothing but license in a different form but it is supposed that the law will not be obnoxious to the constitution. Meanwhile, a constitutional amendment has been prepared which will be voted upon in the fall of 1876, giving the legislature, entire control of the matter. It ought to be in the legislature's hands, and probably Michigan has been for the last twenty years a solitary, or almost solitary, instance of a community constitutionally prohibited from even allowing themselves to say what they would and would not drink. There is but a step from such a constitutional prohibition as this to one positively and affirmatively commanding the consumption of particular articles of diet.

We had no opportunity last week to speak of the German dinner to Mr. Schurz which succeeded the American dinner, and was at once larger and more in the nature of a demonstration, ending, as it did, in processions and a serenade, though it could not have been more hearty. Mr. Schurz has announced his intention of returning to Missouri and St. Louis, which is certainly a proof of his love of the West and his belief, shared by many other people, that even there his political "availability" will not be slow in reasserting itself. The German dinner was not intended to have any political significance, and therefore it is the more noticeable that after it was over a German address should have been presented, thanking Mr. Schurz for his services as a reformer, and promising that if he would, on returning to this country, come forward as a political leader, he might count upon the Germans following him. The newspapers generally have united in expressing the opinion that the honors paid Mr. Schurz were unusual and marked, but some of them seem to be unnecessarily alarmed as to its possible effect upon the minds and imaginations of those who offered them. We have seen a good many of the Germans interested in the dinner, and we can assure our contemporaries that though these gentlemen may not now be engaged in getting up a "third party," their movements will still be worth taking into consideration.

The public debt statement, published on the 1st inst., showed a reduction during April of \$2,325,346. The coin balance is reported at \$94,625,669, less \$22,403,300 certificates of coin deposits in the Treasury. The total of \$94,625,669 probably includes balances in the shape of called bonds in connection with the operations of the syndicate. The currency balance is reduced to the unprecedentedly low amount of \$1,096,375. On account of this reduction in currency, the Secretary has ordered the sale of \$5,000,000 gold during this month. His internal revenue receipts ought to increase during the month by reason of the heavy dues for licenses at this time of the year. Another call has been issued for \$5,000,000 of 5-20 bonds, on which interest will cease August 1. This call was made at the re-

quest of the syndicate, who of late have been enabled to sell new fives in Europe, as the price has advanced above par in gold, and they have to pay for them 99½ in gold. Until recently, it was generally supposed that they paid the Government 99¼ for them. Perhaps the most gratifying feature of the public-debt statement was the reduction of \$1,175,140 in the legal-tender circulation during April; it now stands at \$378,051,760. In regard to the commerce of the country, the statement just issued by the Bureau of Statistics at Washington shows a decrease in the exports for the first eight months of the year (specie included) of \$30,175,108 (mixed values), and a reduction also in the imports of \$24,784,456. This means a general contraction in the volume of trade. The amount of goods in warehouse at the close of last February was \$15,814,402 less than at the corresponding time in 1874; evidence that merchants have been drawing on stocks in port rather than importing new goods. The New York banks continue to gain legal-tender notes, and hold more now than, excepting the first week in February and the last in January, at any time since last November—an indication of prolonged ease in the money market. Another indication is that the amount of bank-notes in the hands of the issuers is steadily increasing. At the date of the last official return there were about \$26,000,000; this virtually constitutes a reserve of circulation to be put out as required. In Wall Street, speculation has been tame, but all classes of investment securities have been strong.

The foreign offices of Germany and Belgium are still occupied in exchanging and comparing notes, with very little outcome thus far. As we remarked last week, this may be intended, on Bismarck's side, for home effect, or it may indicate a serious desire to coax or coerce neighboring states into a repressive, anti-Ultramontane policy like his own. There are obvious reasons why a constitutional Catholic state like Belgium is powerless to take part in any such combination, just as, in Italy, there is no disposition to do anything of the kind—for example, by repealing the law of the Papal guarantees, and making it expedient for the Pope to quit the country, bag and baggage. For their part, the Italians view their relations to the Papacy with entire complacency. They tolerate it in the midst of them with none of the alarm exhibited at a distance by Germany. They admit an identity of interest between the two countries as against Romanism, but deny the necessity of a common method of opposition. Bismarck they regard as merely following in the footsteps of Cavour, but rudely and violently. The Reformation drew the lines in Germany in a manner unknown in Italy, where, as has been said, the Renaissance made every cultivated Italian an impartial thinker, capable of comprehending and respecting the religious faith of others, so that all count themselves among the "faithful," while the believers are few; the believers attach no conditions to their faith, and the free-thinkers set no bounds to their argumentation. There is no motive, therefore, for joining in an active crusade against Ultramontanism, and, on the other hand, none for taking part with the Ultramontanes in a war against Germany, even if anything but a war of self-defence were not simply impossible for Italy as for Austria.

Nobody, surely, understands this better than Bismarck, whether or not he inspired the mischievous alarm lately sounded by the *Post*. He also knows, at least as well as anybody, that Cavour's milder manners are not suitable for Germany. There is no relaxation in pushing the new ecclesiastical laws for Prussia. The bill for the administration of Church property passed to a third reading on Saturday, and on the same day Dr. Falk introduced a new measure looking to the suppression of religious orders. This is to take effect in six months for the majority, in two years for those engaged in teaching; while those devoted to the care of the sick are made subject to the pleasure of the *Cultusminister*. The property of the cloisters and congregations thus dispersed will be used in pensioning the former members.

THE INDEPENDENT VOTER'S PLACE IN POLITICS.

MR. EVARTS, in his recent speech at the Schurz dinner, stated the opinion of a great many men less able than himself when he said that notwithstanding, by the organization of our Government, all power is in the hands of the people, there might be an instrumentality able to "seize this power from the rightful possessors, and appropriate it to private combinations and to selfish ends." Mr. Schurz likewise expressed a similar opinion when he said that a large majority of the Republican party were sincerely and heartily in favor of reform, "but that they found themselves entangled in the network of organization, controlled and handled by a class of politicians who consider the advantages of power more important than the good of the country." From New Haven, also, we had just before received the lecture of Prof. Walker upon cumulative voting considered as a remedy for emancipating ourselves from the power of the caucus. That this subject—the dangerous power of the caucus—awakens the attention and calls out the thoughts of three such different men, living in three such different spheres of life, shows how rapidly it is becoming an important subject for the consideration of the American people. Here we have the leading member of the American bar, who is something more than a lawyer, being both a sagacious observer and instinctively a statesman, reviewing the actual situation, and asking how we shall hold out "to the younger men, the coming men, or the present men the idea that subserviency to caucus is not the sole prospect of American statesmanship." Here we have the senator who has risen highest in public estimation, and who has done so by the two simple methods of laborious self-culture and straightforward conduct, depicting with equal earnestness the dangers of this masked if not hidden power. Here, also, we have a professor of a university who has had unusual experience in life, ranging from active military service to the control of two important civil departments of the Government, lecturing to the students under his charge on the same insidious agency, and bringing his talents and experience to the solution of this simple problem: How shall the upright and intelligent majority manage to govern themselves? As Mr. Evarts very truly put it, "this is the problem of our time, and it is a problem which millions of our countrymen are now brooding on." A hundred years ago perhaps half a million were brooding on the problem as to how the American people should be secured in the right of taxing themselves as against the usurpation of an unconstitutional power. Now, that right having been secured to us, and to an extent which no man of that day could have anticipated, the question really is beginning to be, How shall we retain our rights, political and civil, as against the wiles of organized political fraud? In other words, having got rid of a king by a straightforward fight, now by what sagacious generalship shall we get rid of the caucus?

There are some considerations which will lead to the conclusion that the caucus is a natural product of existing causes, and as such, while they continue, cannot be readily overpowered or finally exterminated. In the first place, we have been living with a system which as a rule makes attainment of office easy, and removal from office practically impossible. We have no qualifications for office. A man need not own land, he need not be a householder, he is not subject to examination, it is not necessary for him to produce testimonials of character, he need not know how to read and write, he may be a drunkard, a gambler, a felon, provided only that he is twenty-one years of age and a resident within his district. In a word, we open the official door to its utmost width for all kinds of characters to walk unblushingly in. In the second place, we multiply offices to the utmost and in every conceivable way—by throwing the duty of selection on the people in the most paltry instances, by shortening the tenure of office, by "rotating" and turning men out without cause, and allowing every clerkship in the country to be changed with every change of politics. In the third place, we have confused and belittled the duty of selection by our "district system," in which we have singularly selected the smallest pattern for our area of choice, and our selection has borne the smallest fruit in the way of candidates.

In the fourth place, we have the most busy population—that is, the better and greater part of it—in the world; a population where the more energetic are not only trying to better their condition but to change it, where all men with activity of mind are intent on private ends, and where substantially none are content to live in the same house, and work in the same shop, and walk the same round that their fathers did before them. That is to say, we have a population possessing less time to spare for public duties than the well-to-do classes of a European nation. In the fifth place, we have an extraordinary and unprecedentedly large class of the ignorant and inexperienced, who, equally with the best of us, are entrusted with all the duties of citizenship. These are not only the "ignorant classes" in the ordinary sense of the term—the men who do not know how to read and write—but they are also foreigners, it may be with tolerable education, who have sought our shores ignorant of our laws and usages, and certainly ignorant of our public men. And, in the sixth place, with all of these materials at hand for a caucus, we have also the workmen in the form of professional politicians, whose trade it is to use these materials for their personal advantage, and to make their livelihood out of the country, sometimes by trading for office, sometimes by holding office, frequently by the dishonest plunder which office can distribute to those who are not actually in it. No one, we think, can review these causes without confessing to himself that, while they continue in full operation, the caucus will be inevitable, and the workmen will not stop laying their heads together because of anybody's denunciations.

There is one mode of dealing with the difficulty which every thoughtful citizen can put into operation at every election. Since we have the caucus as an established fact, directing our affairs, though much against our will, we can exact of it accountability. The principles of government which men not in office may unfold and spread before the people, can be dictated to the caucus as work which it shall not trifle with, and which it must perform. The old-time responsibility of party for the peculations of its creatures and the evils of its administration can be brought back, and as effectively fastened upon parties now as upon parties fifty years ago. The independent voter—that is to say, the conscientious citizen—though one in a hundred, has it in his power to put down the existing caucus, of whatever politics it may be, though he may not prevent another, less harmful, from taking its place. Is he likely to exert this power? We can answer this by saying that it must have been impossible for any one to listen to the speeches made last week at the Schurz dinner without being convinced that as an expression of political earnestness they had a deep significance. If Mr. Schurz had just reached the crowning eminence of a triumphant career as a public man, if he had just been re-elected to the Senate by a spontaneous union of all parties, or even if he had been leaving the country with a commission to some foreign court in his pocket, given as a solatium for political defeat, demonstrations in his honor would not have meant much. But appearing, as he does now, exiled from one party by his independence and principle, and repelled by the other apparently because it is too ignorant to recognize his value in public life, it is safe, in his case, to attribute marks of respect to a genuine admiration and hearty sympathy, and not to self-interest. The newspapers have generally dwelt upon this fact as the most important, and, wisely as we think, have noticed as of only secondary account the question raised by Mr. Schurz himself, whether means could not be found to organize in the support of their common principles those who are now roughly called "independent voters."

Much as we should have liked, at various times within the past four years, to have seen a third party in the field with a recognized head and known leaders, there are several reasons why at the present moment we can reconcile ourselves easily to its non-existence. Whether the thousands of voters all over the country who, as Mr. Evarts said the other night, are looking forward to the next Presidential campaign, in the hope that they may not have imposed upon them the duty of a "close mathematical calculation as to which candidate has the least defects," do or do not formally

unite, and do or do not explicitly offer their votes to that one of the two regular parties which shall put the best ticket in the field, is a matter of minor importance compared with the question whether there exists a large number of such voters in the country; and on this head there seems to be little difference of opinion. Both parties are now well aware that an indeterminate but considerable body of voters exists which is drawn over from one party to the other, not by recollections of the war or the stirring memories inspired by the Resolutions of '98, but almost altogether by the comparative merits of the men put forward by the two parties. To some people, a few years ago, this would have seemed a very shocking state of things to look forward to, as implying the sacrifice of interest in principles; but, in reality, it implies nothing of the sort, but merely that, in the existing rotten condition of parties, when both profess the same principles, and both are equally good and equally unreliable, the only sure foothold we can get for principles is in the character of the men who advocate them.

Now, when we come to consider the actual weight in politics of the independent vote, it must not be forgotten that there are two ways in which it can and does manifest itself—through the press, and at the polls. With its power at the polls every one is familiar. One of the commonplaces of political oratory to-day is the wonderful power shown in the rising of men of both parties against the Ring in this city, and there can be little doubt in any one's mind that the immensely improved condition of the Democratic party in this State; the capture of the organization, if we may put it so, by Mr. Tilden and his friends; the attack upon the canal men; and such nominations as were made the other day by Mr. Wickham for city commissioners, have all been directly due to the fact that for five years an unorganized independent vote has been held *in terrorem* over the heads of the politicians, and that they have had cause to feel for the first time in a long period that "unless they made a good appearance, put their best men forward, and behaved like men of principle, they could never hope to regain their lost power. There is some evidence that a similar effect is beginning to be produced upon the minds of the Republicans by their reverses last autumn. The nominations made in Michigan the other day were exceptionally good, and the Republican ticket was successful; and, though we do not expect too much from the President, the substitution of Mr. Pierrepont for Mr. Williams, and the general renovation of the Cabinet that seems to be going on, show that somebody at least who has the interests of the party at heart is becoming aware that the autumn elections meant more than the usual Democratic reaction. It is in what the politicians call the "howl and clamor of the press," however, that there are the most constant and visible signs of the enormous change in public opinion which has taken place. The "independent press" has been much ridiculed, but the fact remains that the press is far more independent of both parties than it was ten years ago; and if the independence of newspapers is not a pretty good test of the independence of the public, we do not know what is. It is a notorious fact that among the leading newspapers of this city there is hardly one which can be considered the actual organ of either political party, in the sense of supporting the party's proceedings through thick and thin; and it is, of course, the sheerest nonsense to imagine that at the political and commercial centre of the country the press can go on publishing articles which reflect no one's opinions but the editors'. Few know better than an editor how necessary it is for the press to keep itself in the current, and indeed subserviency is almost always the vice which (though he may damn it) he "has most mind to." For these reasons, we find in the present either critical or hostile attitude of the leading part of the press toward both the parties the clearest proof that political independence is a real thing.

Is that independence, however real, likely to have its due effect in politics without an organization, a union? is the question which is no doubt troubling many people. As to this, we have one suggestion to make which we are satisfied is worth the consideration of everybody—that an independent body of voters ceases to be independent the moment it becomes organized into a party. This

lesson was sadly learned at Cincinnati, and the remembrance of it probably deters many reformers from even the hope of repeating that experiment under more favorable auspices. There is, too, in the eagerness of the poorer sort of politician to ally himself with some new organization as soon as he has left an old one, the exhibition of a spirit which is hostile to independence itself. What has been for a long time chiefly needed in this country has been the creation of a new political atmosphere, in which men might hold and express political opinions which did not bear the stamp of any regular party die. The only way this can be done is through the existence of a body of independent men, who cherish first their own opinions, principles, characters, and moral code, and secondly, and even with reluctance, are willing to merge their individuality in movements for some public end which they recognize as good. We have had enough of statesmen whose utter oblivion of self and devotion to the common weal went so far as to include an oblivion of conscience, character, truth, and honor; what we want now is the knowledge that there are throughout the country a number of men ready to act together when it is necessary for the public good, but who stand meanwhile on their own legs, supported not by a platform or a party, but by their own strength of opinion and conviction. These are the dangerous people in any country to public jobbers and wire-pullers. These are the people whom they cannot count upon or understand. Give them an organization, a platform, a ticket, traditions, places to fill and empty, and they become like any other force in the political world, to be bargained with, bought, sold, and "captured." But without any organization they exercise an influence on both parties which is not measured by their numbers, and really create, for the time being, "party responsibility." There is no need, in the face of these facts, to give ourselves much trouble as yet about the campaign of 1876. The best thing the independent voter can do is to continue being independent, voting for the best men he can find to vote for, saying what he thinks, and not making himself over anxious as to what organization he belongs to. If he perseveres in this he will, we feel confident, compel the nomination of good candidates by both parties, or, if not, will at any rate occupy an honorable and self-respecting position which he will never have reason to regret.

A REACTION IN INTERNATIONAL LAW.

TWO congresses for the modification of international law are to be held this year—one at the Hague and the other at St. Petersburg. The latter is an adjourned session of the congress which met last year at Brussels, and has in charge the consideration of the possible mitigation of the horrors and calamities of war. The other, having at its head a number of well-known American gentlemen—among others Dr. Woolsey and Mr. D. D. Field—is to discuss the feasibility of a "proportional reduction" of the armaments of great powers and the regulation among nations of the use of war, with a view to making it more difficult to begin; as well as other important but not closely related questions, such as that of the prevention of collisions at sea. What Russia desires to do about the horrors and calamities of war we had the opportunity of learning last year. She desires such a modification of international law as shall make war simply a mortal struggle between the regular forces of contending nations, and put all irregular fighting on the level of piracy. It has been pointed out very distinctly that this change would be solely for the benefit of the large military powers of Europe; for it would in future absolutely ensure victory to the "heaviest battalions"—this, of course, being Russia's object in introducing the change. A real improvement of international law has never been ardently desired by Russia, and indeed Prince Gortchakoff, who has not usually appeared in the rôle of a philanthropist, at the time of the Brussels Conference expressed strong doubts as to there being any obligatory international rights of any sort, except under treaties; and Prince

Gortchakoff's opinions as to the binding nature of treaties may be inferred from the manner in which Russia has observed the stipulations of that made at Paris in 1856, neutralizing the Black Sea, which, in 1870, she declared *sans façon* to be no longer binding, and has never since paid any attention to. With regard to the meeting at the Hague, we suppose that few people can expect it to succeed in reducing to any considerable extent the number of troops in Europe, nor in limiting or restraining what is perhaps the most cherished right of sovereign states—that of selecting the time and occasion for making war. The choice of reasons for making an attack, and the time selected for it, are of such immense importance to any nation, and count for so much in the chances of victory, that this, of all rights of sovereignty, would seem the last likely to be abandoned.

We would not be understood, however, as deprecating the Hague Conference or the discussion of international law in congresses or conventions; for, as it rests really not, as Prince Gortchakoff supposes, mainly on treaties, but on the general agreement of opinion among civilized nations, there is no kind of law which so much or so continually needs discussion or gains so little by silence. But there are a great many ways of discussing international law; and philanthropists just now seem to have formed a tacit league to discuss it in only one way, no matter whether their discussions come to anything or not. The direction in which they have for the last few years steadily directed their attention has been that of putting an end to war either by a general covenant to keep the peace, or by throwing legal or semi-legal obstacles in the way of it. In one sense, they have no doubt made an impression. Notwithstanding the present large armaments of Europe and the wars of the last few years, there can be no doubt that there is to-day, at least throughout that very important branch of the human race which speaks the English language, a more general recognition of the value and duty of peace than at any former time; and if there were in the world no other language spoken, and no other interests at stake than those of England and the United States, it might still not be utopian to indulge a dream of universal peace—not millennial, perhaps, but at any rate of long duration. But while this feeling is very strong, at least as regards our own race, the general attitude of mankind towards the body of customs and opinions which we call international law is quite a different thing; and it is to this that we wish the philanthropists would give a little closer attention.

Open any modern book on international law, and you will find that the most striking characteristic of modern as distinguished from ancient society is, that the law of nations contemplates as the normal condition of the world a state of peace. Till within two or three centuries war was regarded as the rule, peace as the exception. It follows from this, of course, that the interests kept constantly in view formerly were those of belligerents, while the interests which in modern times have taken the first rank are those of neutrals. Even in the time of Grotius, neutral interests were of so little importance that writers on the law of nations could almost overlook them altogether; now they make perhaps its most interesting chapter. This is a very commonplace fact; but when we reflect that the growth of neutral at the expense of belligerent rights is simply another name for the growth of the interests of peace at the expense of those of war, we see the close connection which has existed between the tide of philanthropic opinion distinguishing modern society and the current of international custom itself. The long peace, which lasted almost unbroken in Europe and in this country from the end of the Napoleonic wars to 1854, gave an opportunity for the growth of more and more humane opinions on these subjects, and when, at the close of the Crimean war, another era of peace seemed opening, we find in the Declaration of Paris a formal adoption by the Great Powers of the highest and best canons of international law affecting warfare among civilized nations—the abolition of privateering, the principle of the protection of enemy's goods by neutral flag, the exemption of neutral goods even under an enemy's flag, and the rule of effective blockades. This Declaration was signed by

Russia, England, Austria, Prussia, Italy, Turkey, and other powers, while the United States objected to the abolition of privateering, but offered to agree even to that, provided all private property should be exempted from seizure by public armed vessels, except in the case of contraband of war.

That the gradual growth in international law of neutral at the expense of warlike interests, down to the time of the Treaty of Paris, was a movement in the direction which all philanthropists and reformers should wish to move, can hardly be disputed. Nevertheless, from that day to the present, while philanthropic and reformatory public opinion has been clamorous for a total abolition of war, there has been, not indeed a concerted, but by no means an accidental movement on the part of some of the most powerful nations in a direction opposed to the whole previous course of modern history, and distinctly against neutral or pacific in favor of belligerent rights. The United States, which in 1856 was dissatisfied with the Declaration of Paris because it did not go far enough, was the first to manifest a reactionary tendency, and, in the war with the South, being for the first time a belligerent on a grand scale, and forgetting its traditional policy as a neutral, began to invent strange theories as to the obligations of neutrals in time of war, which were finally formulated in the "three rules" laid down at Geneva, and which have left the duties of neutrality in such a vague and at the same time dangerous condition that it is absolutely impossible to say exactly what they mean, or what new obligations they impose. It is obvious enough that rules of this sort are all for the advantage of belligerents, since their very vagueness and uncertainty have always a tendency to drag the neutral into the quarrel on one side or the other. The next significant attack on neutral rights was made by Count Bernstorff, who invented, on behalf of Prussia, the doctrine of "benevolent" neutrality, and tried, without success, to induce England to believe that it was her duty to act the part of benevolent neutral as between Prussia and France. The attempt failed, but it was made, and there is no reason to believe that we have heard the last of it. Finally, in England, of all places in the world, a member of Parliament has now seriously proposed (and secured in support of his proposition a vote sufficient to ensure continued discussion) that England shall withdraw from the Declaration of Paris and formally abandon the principle of "free ships—free goods." The debate which took place in the House of Commons on the motion is instructive, as showing the existence of a number of people in the great neutral and commercial state of modern times who have so far forgotten recent history, and are so ignorant of the true position and interests of their own country, as to demand an increase of belligerent at the expense of neutral rights.

We have no desire to take a pessimistic view of the subject, and we do not mean to say that these instances are more than indications of a possible reaction in international law—not a demonstration that such a reaction is unavoidable. Indeed, to believe this, it would be necessary to believe, not merely that the leading countries of modern Europe mean to keep themselves in a state of readiness for belligerency, but that they expect to be generally at war; that we are entering upon a new period of barbarism; and that peace is hereafter to be the exception. This we do not say; but it is important not to overlook the fact that the improvement of society, the amelioration of human affairs, and the interests of general peace, are from the point of view of the international philanthropist closely bound up with the rights of neutrals; that down to the time of the Declaration of Paris the development of international law was marked by a steady development of these rights; and that the increased belligerency of the world during the last twenty years indicates a danger of a barbarous reaction in an opposite direction. The abolition of war may be dismissed as a dream; but it is no dream to hope that in the future, as in the past, the two great nations whose interests are bound up with the peace of the world may not be led astray by visions of an impossible perfection from a path which has been hitherto one of steady and remarkable progress.

SHALL I BE EXPATRIATED?

BERLIN, April 6, 1875.

I PUT this question in the first person singular simply to give clearness, directness, and emphasis to a case which is the cause alike of all true Americans sojourning abroad. Though Judge Hoar's bill, defining the status of citizens of the United States in foreign countries, failed of definite action in the last House, the Administration is likely to press upon the next Congress some legislation on the conditions under which Americans residing abroad shall retain their citizenship; and, considering the important and delicate interests to be affected by such legislation, the way for it should be prepared by timely and judicious discussion.

With the main purpose of Judge Hoar's bill I fully agree; and, indeed, no one can reside for a time in Germany without feeling the necessity for some such legislation as is therein contemplated. In time of war, as I witnessed here in 1866, Germany swarms with returned emigrants, largely of the Jewish type, who plead their American citizenship in bar of military service to their Fatherland. Now that the latest treaty between Germany and the United States has reduced the risk of such service to a minimum, this class of American citizens is prolific in expedients for evading the fourth clause of the treaty, which provides that "every naturalized subject, who, having no intention of returning to the country of his adoption, resides continuously during two years in his former country, is presumed to have renounced his naturalization." So far as this class of citizens is concerned, Judge Hoar's bill would simply embody in the form of a law of the United States what is already provided for by the Treaty of 22d February, 1868, between the then North German Confederation and the United States. My objection to the bill in its present form is, that it includes in the same condemnation native-born citizens, against whom no presumption of renouncing their citizenship in the United States can lie.

The class of persons who ply between Germany and the United States in a way to dodge their obligations to either, and who take up or renounce citizenship at will for their own interest or convenience, is constantly increasing, and the claim of American citizenship is often used as a cover of some iniquity or a protection against some obligation abroad. No doubt some native Americans, too, make a mere convenience of their citizenship to evade responsibilities or shield irregularities. The Government of the United States is bound to protect itself against this abuse of citizenship; and it was with a view to a clear definition of the status of such persons that the President, in August, 1873, sought the opinions of the several heads of Departments upon "the relations between the Government and persons who may claim its protection as citizens of the United States," and that he afterwards brought this subject before Congress in his annual message. Judge Hoar's bill is the proper sequel to this movement of the President and his Cabinet. But it should be borne in mind that the Government has largely brought upon itself the evil which it now seeks to remedy by special legislation. The Treaty of 1868 with Germany was more in the interest of demagogism at home than of international comity. To catch the German vote, the United States secured an important relaxation of the German rule of military service in favor of actual or intending emigrants to America; and the consequences of this the United States is now reaping in over-stimulated immigration and in the perversion of citizenship to mean subterfuges that plague the American Legation and Consulates in Germany, and disgrace the American name. So far as Judge Hoar's bill is a remedy for this evil, I would hold up both hands for it, as indeed I would for a remodelling of the Treaty of 1868. But I protest against the phraseology of the bill which would put me in the same category with impostors or indifferents, and would expatriate me upon a groundless presumption.

In Section 3, the bill describes the persons who "shall be regarded as not subject to the jurisdiction of the United States"; and among these specifies "citizens who may be domiciled abroad, unless registered as hereinafter provided." Section 1 declares that "the words *domicile* and *reside* are to be construed as implying a fixed residence at a particular place, with direct or presumptive proof of an intent to remain indefinitely." Section 3 declares that "citizens of the United States, of adult age, who shall remain out of the jurisdiction of the United States, and within the jurisdiction of some other power, continuously for two years, shall be held as *domiciled* in a foreign country, except as hereinbefore provided"; and this last clause refers to the requirement that the American citizen residing abroad, if he desires to retain his citizenship, shall register himself at the Legation of the United States, or at a Consulate, once in every two years, declaring in writing, among many specifications, "*whether he intends to return.*"

If I rightly interpret this, the mere fact of residing abroad in the same country for two years is construed as being "*domiciled*" in that country;

and he who is thus domiciled ceases to be constructively "under the jurisdiction of the United States," unless he shall be at the pains of going to some official and declaring in writing his "intent to return." The plain inference is that if one cannot say positively that he intends to return to the United States his registration would avail nothing, and he would forfeit his citizenship after a two years' residence abroad, or after any subsequent term of two years. This is the clear intent of the fourth section of the German Treaty of 1868, after which Section 3 of Judge Hoar's bill is modelled; a returned emigrant who has no intention of going back to America as his home, is held to have renounced his American naturalization by a continuous residence of two years in Germany. There is a fair ground for this presumption in the fact that such a person has willingly returned to the land of his nativity. But no such presumption should apply to the American who is away from the land of his nativity, and has taken no steps toward naturalizing himself in the country where he resides.

Now, to what end should he be required to declare his intention to return, unless the want of such intention is to work a forfeiture of his citizenship? Unless every two years he can declare that intention, he is held to be domiciled abroad, and is expatriated *nolens volens*. Hence I protest against this feature of the bill, as false in principle and vexatious in its application. It is false to assume that an American, through a foreign residence, declines in the fervor of his patriotism and needs to have this revived by a prescribed visit to the American Legation or Consulate to register the fact that he wishes to continue an American; it is false to assume that one undervalues his nationality through lapse of years in a foreign land, and must be goaded into remembrance of his birthright by an official threat of expatriation, to the prejudice of his heirs; it is a false principle that would make the retention of a birthright, which one no more thinks of relinquishing than of parting with his name, to depend upon the punctual performance of some petty formality which he might at any time forget; it is a false principle that would make the country forward to ostracise her own sons, who are spreading her name and fame abroad, and who would die sooner than renounce her; it is injurious that the country should deprive herself of her just part in the fame of her cosmopolitan sons, by wantonly expatriating them for failing to make a written declaration that they "intend to return" in person to lay their service and their honors at her feet; and, above all, it would be the height of absurdity for a country that has sought by treaty to release the subjects of a foreign power from obligatory military service, to subject the sons of her own citizens to military service to that same foreign power, by expatriating their parents.

The case will appear more vivid and precise in the concrete. Residing abroad, not of choice but of necessity, being ordered by physicians of New York, London, and Berlin to keep aloof from the exciting atmosphere of American life, I surely cannot declare "whether I intend to return" to the United States. I have resided "continuously" in Germany for more than two years, and my library and house-lease are "presumptive proof of an intent to remain indefinitely." But nothing could induce me to transfer my citizenship to Prussia, though advantageous overtures on that point have not been wanting. To the best of my means and ability I have improved every opportunity for advocating or defending the United States in face of German ignorance and prejudice; and there is more of this sort of work in view for the Centenary. The private citizen abroad may say things through the press and from the platform that are forbidden to an official representative of the Government; and we private flatter ourselves that we do more to cause our country to be respected in Europe than do some of the leaders at home.

The advocates of Judge Hoar's measure will say that all laws must be framed in general terms, without regard to exceptional cases. But Congress has no right, for a general purpose, or simply to avoid circumlocution, to enact a law which by its terms would deprive of his birthright any native-born citizen, innocent of crime. No general phraseology should cover a specific injustice.

It will be said again that registration would be no more unjust nor annoying than the present system of renewing passports. But there is a radical difference in principle between the cases. The passport is simply an *evidence* of citizenship, to be used in case of need against foreign governments; whereas the proposed registration would touch the *fact* of citizenship, and would require the citizen to establish and maintain that fact against a law of his own government which through his mere forgetfulness might deprive him of it. And registration would not save him without "intent to return."

It will be said that if one prizes his citizenship it would be no great hardship to go and register his claim. In many cases, however, where there is no resident consul, this would be a hardship; and the real hardship

lies in the presumption of the bill that one does not value his citizenship, and the requirement that he shall formally renew his claim every two years or forfeit his citizenship, and need to be rehabilitated. The hardship lies in the fact that a government which throws out its drag-net over all peoples, and sweeps in multitudes of all sorts to be naturalized as voters, should expatriate its true native-born sons for the accident of residing abroad, unless they shall swear to an intent to return. If they cannot swear this, they are cast out of the protection of their country—one of the greatest hardships a true patriot could suffer.

My heart yet thrills with pride at the tribute of Bismarck to my country when he said that no foreign power would dare offer to a citizen of the United States the insult that the Carlists had offered to a German. He would bring Germany up to the noble standard of the United States in caring for her sons. Yet, by this bill, I might be dropped here in Germany, and find myself "a man without a country." No; the thing is absurd and impossible. My citizenship was not derived from the Fourteenth Amendment, and cannot be touched by any legislation based upon the phraseology of that Amendment touching "jurisdiction."

I deny the power of Congress to expatriate me, and I deny the right of Congress to throw upon me the *onus* of proving and retaining my citizenship. If need be, I would contest this before the Supreme Court, and, if defeated there, would still live an American, and die with the proud satisfaction that I had been more faithful to my country than she to me.

J. P. T.

M. LE PLAY.—THE FRENCH LAW OF SUCCESSION.

PARIS, April 9, 1875.

FRANCE has often been in need of reform, but never of reformers. Among those of the present day, one of the most original and the most interesting is M. Le Play. He is no ordinary man. Educated at the Polytechnic School, he became a state engineer of mines. He spent several years in the Ural Mountains, in some gold-mines belonging to Prince Demidoff. He returned to France to become a professor of metallurgy at the School of Mines, and under the Empire he was made a councillor of state. I need hardly add that he was the president of the Commission of our great Exhibition. He has been in contact, during all his life, with manufacturers and employers of labor, as well as with laborers, and he has taken a keen interest in the study of the peasants and of the workingmen in all the districts which he has visited. He entered into his studies with a truly scientific spirit. He studied the social state of the working-classes as minutely and as carefully as a naturalist. He did not start from any general principles, but tried to extract some principles from a great collection of facts.

It is a pity that M. Le Play is not a good writer. His style is cumbersome, ponderous, and fatiguing; yet, notwithstanding the absence of all art in his works, his book on 'Social Reform in France' has already had several editions, and has attracted the notice of all those who are not contented with a superficial view of history. For the living forces of history are only the outward expressions of the hidden forces which are constantly at work in a society. M. Le Play does not belong to what I may call the Revolutionary school; he has studied the past of France as well as the present, and he has no unlimited faith in the famous declaration of the rights of men. The preparation for the 'Social Reform in France' is to be found in two great works, one called 'The European Workingmen,' the second 'The Workingmen in Both Worlds.' In the first he has described, in the most minute details, the condition of thirty-six families of laborers, examined their budget, and shown their relations with their superiors in society. The 'Ouvriers des Deux Mondes' is the work of a society of which M. Le Play is the president, and which publishes monographs concerning laborers in various countries and conditions.

M. Le Play's chapter on property has attracted much attention in France. He maintains that the best form of property, the most likely to promote social progress, is the free and individual possession, debarred from any servitude. There are now in some countries, and there have been at all times, other modes of property, but the laws of succession, in their immense variety, can be brought under three heads: 1st. Conservation can be forced by law. Such is the case wherever there are strong traditional feelings, and the system may work well as long as virtue is transmitted in the blood; but when the stock of the original possessors becomes corrupt, the system becomes intolerable. 2d. Partition can be forced by law; this is the régime proper to the countries which are imbued with a revolutionary spirit, adverse to tradition. The system is a reaction against the abuses of privilege; it is the system enforced in France since the Revolution of 1789.

3d. Testamentary liberty is complete. This system characterizes the countries where liberty as well as tradition is respected, and where the individual will is not subservient to the state or to privilege. This last system has the preference of M. Le Play; and he is a bold man who dares to confess in France that the father of a family ought to be completely free in the disposition of his property. The reaction against the right of primogeniture of the old régime is not yet exhausted, and the intense love of equality which has taken possession of the French mind has completely destroyed the old Roman notion of the *paterfamilias*. The law of succession in France has passed through all possible stages. Under the domination of Rome, the testamentary liberty was complete in the southern provinces, which had been the first conquered. In the north, Rome allowed the traditional and Germanic habit of partition between the sons. After the invasion of the Franks, the crown domains themselves were long considered as capable of division. The whole history of France may be said to be the struggle of the Latin ideal of government and legislation with the Germanic ideal. The *coutumes*, which are the collections of local laws made after the Middle Ages in all parts of France, are more or less Germanic, or more or less Latin, according to the latitude and sometimes according to the character of the feudal chiefs of the provinces. The archives of our notaries contain the elements of a new social history of France. I have myself studied the *coutumes* with great attention, and tried to form a correct opinion of the state of division of the land in France before the Revolution. The subject is very difficult and very obscure. It was the opinion of Tocqueville that land was already much divided in France before the Revolution. M. Le Play does not throw any new light on the subject. He contents himself with regretting that after the reign of Louis XIV. the noble families became impoverished; the great estates were divided in consequence. By the ordinance of 1747 no entails were allowed for more than two generations. The right of primogeniture has never been in France what it is in England; it only applied to what was called the manor and the *vol du chapon*—that is, land round the manor, limited by the extent of the flying of a cock. The rest of the land was subdivided; the oldest son had only a variable fraction of it, according to the *coutume*. It happened, therefore, that younger sons often had a bit of land without a manor. When they lived on it, they built a small house and ran in debt; when they were in the army or the church, they let it out; and this land, losing its feudal or noble quality, became *roturier*, even though it belonged to a nobleman, and *roturier* land ceased to be submitted to the law of primogeniture. It is easily understood that, under such circumstances, land became divided in all the countries where the *coutume* had a Germanic origin and where the habit of entails and of wills did not prevail. It is a curious fact that under Louis XIV. very few wills were made; the resident proprietors had their rights more and more reduced by the intendants. The aristocracy had in reality lost its social importance to a very great extent when the French Revolution broke out.

The first law on the subject of succession was passed in 1791. It instituted complete equality between all the sons and daughters, and destroyed all the distinctions established by the local customs between movable and immovable property, patrimonial estates and acquired estates, etc. All entails were strictly forbidden, under threat of confiscation. In 1793, a decree was passed which abolished the right of making a will in the direct line. Not only did the sons and daughters become the equal heirs of their father and mother, but all the descendants of the same degree had their formal rights to an equal division of the property of their ascendants. Under the Empire, there was a slight reaction against this tendency. A law of 1803 (29 Germinal, year xi.) fixed the rules of succession as they have been in force ever since. It excluded the bastards, whom the French Convention had admitted on the same footing as the legitimate children; it allowed the testator to keep the disposition of a variable part of his property. This portion becomes more and more reduced as the number of the children gets larger. It is equal to one-half of the property when there is one child only, to one-third when there are two, to one-fourth when there are three. The freedom of the father becomes, therefore, more and more nominal when his family increases, and this is undoubtedly the reason why there is a marked tendency in France towards the limitation of the family. Every time a father has a child more, he knows that his power of disposing of his fortune becomes smaller. The law has left him free to use this variable part (it is legally called the *quotité disponible*) as he chooses; in this respect, his freedom is unlimited. He can leave it to his wife, or to his eldest son, or to any other child, or to a perfect stranger. The only remainder of the old habit of entail is this: a father may leave the disposable part to a child with the provision that it must be kept for his heirs, giving him only a life-interest, while all the rest of the property becomes immediately free and

individual. The law is, however, so jealous of equality that this life-interest cannot be transmitted to one child only—it must go in equal parts to all the heirs of the second generation. This law of succession, which is a very original one, is not well known out of France, though it has now been in application for half a century. It has had the most important results, and the political philosopher may almost see in it the principal cause of the present state of a country which is half revolutionary and half conservative. The love of property is intense in all classes, but it accompanies a continual desire to break up settled estates.

It is hardly worth while to speak of the law of the Empire which re-established entails, under certain conditions, for the great dignitaries of the state, under the name of *majorats*, as this law was abolished by the Revolution of July. Practically, of course, great efforts are made towards the preservation of some estates, but these efforts only produce ruin in the end. Let us take, for instance, an historical estate like the Broglie estate in Normandy. The present Duke kept the castle and as much as he could of the land; he received the benefit of the *quotité disponible*; but he had sisters, and he was obliged to indemnify them by selling many farms. He is himself the father of five children; when he dies, the eldest son, the Prince de Broglie, will undoubtedly keep the château; but he will have to sell more farms to indemnify his younger brothers. After some time, when marriage does not bring much money into a family, the largest estate must become reduced to an expensive manor-house. In the year 1865, a proposition was made in the French Corps Législatif towards the establishment of a new régime, but the principle of testamentary liberty was only supported by 41 deputies against 197. M. Le Play is a strenuous advocate of this liberty, and he considers that this measure alone can give to the family the character which it ought to preserve, and which it has lost for a century. The relations of husband and wife are not satisfactory, in his opinion. The law allows two modes of relation—when no contract is made, everything is held in common, but the husband becomes the only administrator of the fortune, even of the part which was brought by the wife. The contract system is most generally employed among people who own some property; in M. Le Play's opinion, it diminishes the moral sense of the population. It consists essentially in this: the dower forms a property the fee-simple of which is not possessed by the husband and the wife, but is reserved to the heirs, either the heirs-at-law or the heirs named beforehand in the contract. Under the contract régime, what constitutes the dower cannot be sold or exchanged or increased without difficult formalities. To propose to your son-in-law to make a contract is to tell him that you do not consider him capable of administering the dower of your daughter. The law does not even give to husband and wife, after a long term of years, the right to change in unison the provisions of the contract; it is binding for a lifetime; and there is no provision like that which allows two parties in England to break an entail.

Marriage in France no longer exhibits the disorders of the time of Louis XV., and there is much morality in the French bourgeoisie; but M. Le Play does not consider the institution, as it is now established, as perfect. The majority of men are obliged, he says, to ask from their wives the fortune which their brothers and sisters have taken away from them. "This calculation is founded upon such ingenious motives that public opinion sees in it a mark of wisdom; and those who marry girls with the greatest accomplishments, but without fortune, seem to give a proof of imprudence or to acknowledge their own inferiority." I do not accept this judgment without reserve, but it is true that the consideration of the dower has become somewhat too important, that calculations are too openly made on what are called the *hopes* (*espérances*)—that is, the future successions which will come to the young ladies. Marriage is, in a measure, too subordinate to questions of interest; but, in one form or another, the same may probably be found everywhere. A long sojourn in England has convinced me that a girl with a good fortune knows her advantages there as well as she would in France.

The work of M. Le Play is very suggestive: it is rich in details and original views. I have only pointed to the questions which seem to me to have the most practical bearing. The French law of succession needs amendment, and I believe that M. Le Play has not exaggerated its importance in a social point of view.

Correspondence.

SECOND STAGE OF WISCONSIN RAILROAD LEGISLATION.

TO THE EDITOR OF THE NATION:

SIR: The first letter with the above caption, over the initials "F. R. L."—in which signature there was a typographical error—called down upon

its writer a small storm of abuse, which, though vehement enough, has hitherto been entirely vague and general. Now, however, Mr. Commissioner Hoyt comes out with a charge of misrepresentation and falsehood so specific and grave that I am sure you will allow me to reply.

I read his charge with some amazement, for the statement which he quotes was the last one which I should have thought any one conversant with the facts would venture to deny. The Commissioners' bill was explained both to the Senate Committee on Railroads and to the Lower House by the Commissioners themselves. In each case, Mr. Hoyt took up the bill section by section, and explained its provisions. In each case, Commissioner Joseph H. Osborne followed with remarks of a more general character, the drift whereof was that, in pursuing their enquiries and in framing their bill, the Commissioners had aimed to contribute something toward the establishment of a system of legislative control which would not be confined to Wisconsin nor to railroad corporations alone, but which should become national and extend to all corporate capital. This idea—of course I do not pretend to quote the precise language—was elaborated by Mr. Osborne at some length, and received from Mr. Hoyt, the only other member of the board present, the endorsement of silence, which was construed to mean approval. After first hearing this somewhat significant idea advanced, I conversed with several gentlemen who had been present, who fully confirmed my belief that I understood him correctly. Subsequently I met Mr. Osborne, and, in the course of a conversation on the subject, he restated their—or at least his own—position to the same effect. I cannot think that I misunderstood him. As corroborative of this conviction, it may be mentioned that he began this portion of his remarks by saying that I, being engaged in banking, would not be likely to look kindly on such a system, nevertheless, etc., etc.

Of these repeated statements I gave the version that Mr. Hoyt quotes, viz., "that the Commissioners stated, not only in the Assembly, but before the committees and privately, that their bill was intended as a step towards the inauguration of a system under which the earnings of capital should be regulated by legislation." I had warrant for saying this. I have seen no reason to modify it. If it be worth while, I desire to reaffirm it as emphatically as may be.

The relative values of this affirmation and of Mr. Hoyt's courteous denial are of no sort of consequence, as Mr. Osborne's remarks were made so publicly that the truth or falsity of my assertion concerning them need not become a question of veracity between Mr. Hoyt and myself.

Very respectfully,

E. R. LELAND.

EAUCLAIRE, WIS., April 27, 1875.

TACTICS OF BOOK-CANVASSING.

TO THE EDITOR OF THE NATION:

SIR: In spite of some manifestly objectionable features, the trade in subscription-books appears to be increasing rapidly in magnitude and importance. It cannot escape attention that there has been of late a vast improvement in the quality, literary and mechanical, of works published and circulated by subscription. Our most respectable publishers have thus issued some of their most important works. Yet there is great opportunity for abuse in the hands of enterprising publishers and unscrupulous canvassers. It will do no harm to subject their methods of operation to close scrutiny. I believe these facts will justify the following statement.

Looking over a small volume of 'Instructions to Agents,' issued by a firm publishing some subscription-books of much merit, I find these among other directions:

"Always secure the most influential men first. Never fail to do this, as your success depends wholly upon it. If in no other way, get them conditionally—i.e., have them sign your canvassing-book, even if on condition that they may take the book or not when you come to deliver it. . . . The getting of leading names is the GREAT TURNING-POINT OF SUCCESS IN CANVASSING. . . . The INFLUENCE OF EXAMPLE is of incalculable advantage to the canvasser. . . . If any of these leading people are unable to buy or assist as a helper [*sic*], then ask for their names to head your list for the sake of their INFLUENCE; the condition being that they are at liberty to take the book or not, when you bring it. . . . The object is to get their names to head the list, and, having thus got well started, the thing will go like an epidemic."

I have reason to think that similar instructions are given by some other publishers. The object seems to be to make common people suppose that "influential men" think enough of the book to buy and pay for it—whether they do or not. Does not this virtually contemplate a conspiracy between publishers, canvassers, and these important "influential men" to obtain money under false pretences from the general public? It looks very much like that to a

COUNTRY MINISTER.

April 22, 1875.

Notes.

PORTER & COATES, Philadelphia, have in press 'Storms: their Nature, Classification, and Laws, with the Means of predicting Them'; a reprint of J. Hain Friswell's essays entitled 'The Better Self'; the first volume of an American translation of the Comte de Paris's 'History of the Civil War'; and 'The American Centenary'—a review of the national progress—by Benson J. Lossing.—In the new edition of Prescott's complete works (Lippincott) we have remarked that the introduction to 'Charles V.' so admirable for the time when it was written, is left untouched by the editor, not even the notes giving any intimation of the great progress made in the knowledge of the Middle Ages within the last hundred years. The editor may have chosen to regard the work as a literary monument to be preserved as it stands, and certainly it would require very extensive if not entire recasting.—Dr. Joseph P. Thompson, in continuance of his laudable efforts to enlighten the Germans with regard to his native country, purposes delivering next winter in Berlin a course of lectures for the Centennial. They will be given in English but reported and published in German, and will embrace the following topics: Grounds and Motives of the Revolution; Doctrines of the Declaration; Adoption of the Constitution; Washington as General and President; Vicissitudes of the Government; Territorial Expansion; Slavery and the Civil War; Inventions and Discoveries; Education and Religion; Service of the United States to Mankind; Criticisms and Prophecies.—On the 1st of April the London *Times* began the daily publication of a small chart of the weather. Doubtless the same thing would be practicable here, but it may seem unnecessary in view of the wide distribution, in public places, of our signal-service charts.—Schoenhof & Moeller send us the first number (for February) of a new Italian periodical called the *Giornale Napoletano di filosofia e lettere, scienze morali e politiche*. It is to be issued bi-monthly under the direction of Prof. Francesco Fiorentino, with the aid of a number of his colleagues in the University of Naples and in Parliament. The opening article is an anti-Darwinian dialogue on the origin of things; the others are on the neglect into which the Neapolitan dialect has fallen ('Il Gran Basile,' by Professor V. Imbriani); on Campanella's views of religious reform (by the editor); on Savitri and Alceste, a study in comparative mythology; a wholesome criticism on Dumas's preface to the new edition of 'Manon Lescaut,' etc., etc. There are numerous book reviews, and notes on a variety of topics of public and literary interest. The *Giornale* seems to offer a full return to its subscribers.—F. W. Christern has received a few copies of a pamphlet on the 'Famine in Asia Minor,' consisting mainly of articles on the subject from the *Levant Herald* (March–November, 1874). The reading of this history will both stimulate and discourage the benevolent. The famine is not yet a thing of the past, and the late winter will probably have renewed the ravages caused by that of 1873–4. Moreover, the Turkish misrule by reason of which "the vitality of the country burned so miserably low in the socket that the first puff of adversity extinguished it," remains, and must continue as long as Turkish finances are what they are. Here are a few figures: Population of the 160–170 agricultural villages belonging to the Caza of Keskin: 52,000 (1873), 25,000 (1875); the dead being estimated at 20,000. Pairs of oxen, 2,206 (1873), 427 (1875).

—Two annuals are before us whose character is so well established that they call for little comment from year to year. One is the 'Annual Record of Science and Industry,' edited by Prof. Spencer F. Baird (New York: Harper & Bros.) This most useful work, which seemed all-embracing before, now takes on a department of bibliography—in the present edition, a mere catalogue of titles; hereafter, to be accompanied by a critical discrimination. The editor also calls attention to the increased space allotted to the "General Summary of Progress," which precedes the detailed mention of the facts. The index which harmonizes the rather unsystematic arrangement, maintains its excellence. The meritorious 'Annual Register of Public Events at Home and Abroad' (London: Rivingtons) shows no change of scope or arrangement. We have commonly chosen to confine our criticism of it to the chapter or section devoted to the United States. This year the country is honored with ten pages instead of eight, and the perspective of events here is more satisfactory than formerly. The struggle with the inflationists, the disorders in the Southern States—particularly in Arkansas, Mississippi, and Louisiana—and the fall elections, certainly determine the physiognomy, so to speak, of the past year. They are all noticed in the 'Register,' and so is the death of Mr. Sumner; but, in accounting for the Democratic successes, it would have been in order to allude to Sanborn and Simmons; and the

Potter Law might have been used to cast a side-light on inflation and repudiation tendencies. Perhaps we ought to feel obliged to the editor for overlooking all these disgraces. We would nevertheless suggest to him, as we did once before, that the United States would be more intelligently treated by some one who paid special attention to its politics, and was not obliged to substitute extracts from the London *Times* for his own knowledge and judgment of affairs on this side the water. Such an observer would probably have recorded the Beecher-Tilton scandal, and it will be strange if the present suit does not figure next year among the "Remarkable Trials" of the 'Register.' The public documents and state-papers collected in the appendix relate to the Ashantee war, the Bengal famine, the International Postal Convention, the Brussels Conference, the purchase system, the imperial census of 1871, British patents, judicial and police statistics, etc., etc.

—Messrs. Diossy & Co. of New York, and Messrs. Callaghan & Co. of Chicago, publish a digest of railway cases by John F. Lacey, of the Iowa bar, which will be found a useful book for lawyers. The title "Railways" has in modern times become so well accepted in the profession that not even the most puritanical theorist can object to it. Undoubtedly, the multiplicity of titles of a purely practical as distinguished from a purely legal character, is an indication in a small way of the chaotic condition of the law; and the scientific modern student, educated in a proper scorn for the unphilosophical Blackstone, may tremble when he hears from time to time of ever new and more voluminous divisions and subdivisions of the law, threatening to make the titles of jurisprudence conterminous with those of the dictionary. Objections of this sort, however, do not apply to railroads, and there can be no doubt either that, as all law has a practical basis, the practical divisions of it, determined by changes of circumstances, are necessary, unavoidable, and useful. Railroads are corporations, as they are also common carriers; but they are a sufficiently peculiar kind of corporation and common carrier to have developed a body of law peculiar to themselves, and for this reason a digest of this law has long been much desired. Mr. Lacey's digest includes "all reported American cases in which a railway company is a party, and all other cases in which railway law is determined."

—A correspondent writes us as follows: "As your readers are aware, there has been publishing for some months in England a series of manuals called 'Epochs of History,' which Scribner, Armstrong & Co. are reprinting here. In the original programme of the series, along with such names as W. Stubbs, James Gairdner, and G. W. Cox, appears that of William O'Connor Morris, who, if equally deserving, certainly does not enjoy the same reputation as the others for careful and tested scholarship. Now, it seems that when Mr. Morris got his book ready (his subject was the French Revolution) it was rejected by the editor of the series, Mr. E. E. Morris. Thereupon the former gentleman issued his book as an entirely independent publication, and with entirely different mechanical get-up, stating in the beginning of his preface that the work had been rejected as one of the 'Epochs,' and giving as the reason that in the opinion of the editor it was too mature for the students for whom the series was designed. The American publishers immediately reprinted it as one of the 'Epochs,' suppressing the part of the preface from which I have quoted, and thus give it whatever advantage may be derived from association with the other authors and the responsibility of the editor. The too great maturity of the work certainly appears in a curious shape. No mention whatever is made of the meeting of the Notables; it is stated (p. 20) that 'the Court had consented that the number of the representatives of the people should be double what it had been formerly'—the truth being that the Court, of its own will, had overruled the decision of the Notables against this. These are specimens of the graver errors; there are hosts of slighter ones, due to the author's fondness for sound. Thus he speaks of 'the Estate composed of more than 1,200 deputies.' The number was 1,145. The author also adopts the old *serf* mistake, telling the story (p. 32) in a way that would do credit to Wendell Phillips himself. In his version it is the peasant's blood, instead of his entrails, in which the lord warms his feet. On the whole, I am inclined to think the editor may have had other reasons than the one given for rejecting Mr. Morris's work."

—A large collection of intagli and cameos is on exhibition in Philadelphia, for the benefit of the Women's Centennial Committee. The gems are selected from the cabinet of Mr. Maxwell Sommerville, and number more than nine hundred. Among them are portraits of every Roman emperor, from Augustus to Posthumus, except the son of Philip the Arabian, and Posthumus (replaced by a coin). A head of Ajax—agate-onyx (389), very fine in colors and workmanship—a modern turquoise with the Death of Cleopatra (776), a

rare jacinth with one of the Ptolemies (760), a vintage incident in amber (475), a curious Persian portrait with tiara in reverse (372), a ruby with child's head (511), and an emerald showing Maximinus Pius in relief on obverse and Victory in intaglio on the reverse (495), are among the curiosities of the collection, which includes many other rarities in antique and cinque-cento glyptic art. A number of family portraits have been lent for the same exhibition, interesting for their subjects as well as the names they bear, among which are those of Kneller, Stuart, and West.

—The geographical publications of the year, November, 1873-74, are as usual very fully recorded, with the proper classification, by Dr. W. Koner, in the *Journal* of the Berlin Geographical Society (No. 54). The number is also made valuable for reference by Henry Greffrath's statistical article on the progress of the South Australian colonies. Among other items, the cost of the overland telegraph, 1,785 miles long, is set down at \$1,860,000, or, nearly enough, \$1,000 a mile. For a stretch of six hundred miles it was necessary to use iron posts, in order to avoid the destructiveness of the white ants, and this alone involved an outlay of \$250,000. A communication on some recent measurements of altitudes in South America, by Drs. W. Reiss and A. Stübel, gives 6,310 metres (20,702 feet) for Chimborazo, and 5,943 metres (19,498 feet) for Cotopaxi. The same heights are given by Mr. Henry Gannett, in his recent 'Lists of Elevations,' as 21,440 and 18,875 feet respectively. The chief feature of Petermann's *Mittheilungen* for March 2 is the beginning of a condensed itinerary of Livingstone derived from his 'Last Journals,' and illustrated by a remarkable map, which represents the latest stage of our knowledge concerning the country in which he laid down his life. Asia and Oceanica are mostly regarded in the *Geographical Magazine* for April, the leading article being by Col. Henry Yule, on "Trade Routes to Western China." The accompanying map is of Farther India and Southwestern China, and indicates the route of the recent unfortunate expedition up the Irawadi to Tali-fu. Col. Yule is not sanguine as to the chances of this line competing with the Yang-tse as a channel of commerce.

—Collectors of choice photographs should have an eye to the fifty taken by Herr Remelé on Gerard Rohlfs's late expedition to the Libyan Desert. Unfortunately, the Khedive, at whose charge the album has been got up, with the luxuriousness habitual to that monarch, allowed but a hundred sets to be made, and none of these are for sale. They are of course unique, as no photographer had ever penetrated into this wilderness. The desert landscapes are said to be singularly effective; the vegetation of the oases is also very picturesquely rendered. Five plates are devoted to the temple at Dachel, uncovered by Herr Remelé himself, and there are several other architectural subjects, besides a few views from Siut and Homra on the Nile. To any one aware of the difficulties of photographing in a hot climate, the high artistic excellence of this album will seem above praise. Some account, by the way, of the geographical results of the Rohlfs expedition is given by one of its members, Professor W. Jordan, in an address which has been printed in the Virchow and Holtzendorff collection of popular scientific essays (No. 218; Berlin: Carl Habel). Incidentally, Dr. Jordan discusses the feasibility of converting part of the Libyan Desert into an inland sea. It was discovered that the oasis of Siwa lies in a basin from 75 to 100 feet below the sea-level, and from one to two days' journey in width. This could undoubtedly be flooded from the Mediterranean by leading a canal from the Syrtis Major, but the channel would have to be of enormous dimensions to overcome the evaporation of the Sahara, and, after all, the saline products would render the lake valueless, and the region for ever uninhabitable. Dr. Jordan anticipates a similar fate for the experiment which the French seem bent on trying in the salt-marshes lying to the south of the Atlas of Constantine, with a view to modifying the climate of Algeria. He doubts if it is possible to establish in a canal leading from the Gulf of Gabes such an inward and outward flowing current, of salt and fresh water, as exists in the Straits of Bab-el-Mandeb; and the inward-flowing stream, he calculates, would have to deliver at least five times as much water as the Rhine. Were the proposed lake created, even of the size of the Grand-Duchy of Baden, it would not exercise (as has been feared) any appreciable influence on the climate of Europe. In the Libyan Desert the depressed basin is too limited to excite apprehension from changes in the land and water in that quarter. On the other hand, in Algeria, the moisture would probably kill the date-palm, the most useful product of the soil, while it could hardly have more effect in reclaiming the surrounding country than the Red Sea and Mediterranean have had on the Sahara which touches their shores. Some enthusiasts have discovered on the west coast a sahara basin 250 feet below the sea-level, and lying between the Atlantic and Timbuctoo. They propose to make a canal of the

river Belta, whose embouchure is near Cape Bajador, cut a short canal of five miles to connect with the basin, and so produce an inland lake which will carry the trader to the Niger at Timbuctoo, and open up the interior of Africa to gain, Christianity, civilization, etc., etc. This enterprise might be recommended to capitalists who have lost faith in railroad speculations.

—One of the most productive and profound students of the philology and literature of the Romance languages is Adolph Mussafia, Professor in the University of Vienna, and amanuensis at the Imperial Library. He has especially distinguished himself by his researches in the dialects of Northern Italy, which he has illustrated by a number of texts and philological studies. One of the most important of the latter is entitled 'Beitrag zur Kunde der Norditalienischen Mundarten im XV. Jahrhunderte' (Vienna, 1873). The author has presented a picture of the North Italian dialects in the fifteenth century, drawn from a number of MSS. and printed Italian-German glossaries of the same date. One of these appears to be the work of a German teacher living in Venice by the name of George of Nürnberg, whose address is given, and who is praised for having "ein clugen sin ze leren an alz verdriessen." Mussafia has arranged his materials in the shape of a glossary, richly illustrated by references to the other Italian dialects. The volume will prove a welcome addition to Italian glottology as well as to general Romance etymology.

—Two more recent contributions by the same author to old Italian literature are: 'Zur Katharinenlegende' (Vienna, 1874), and 'Cinque Sonetti antichi tratti da un Codice della Palatina di Vienna' (Vienna, 1874). The first-named work contains the text (with philological remarks) of an Italian version in the Veronese dialect of the legend of St. Catherine, found in a MS. of the fourteenth century, in the library of St. Mark in Venice. This version, curiously enough, is closely related to an old French poem on the same subject, preserved in a MS. of the library of the Arsenal at Paris, written at Verona in the thirteenth century. The editor proposes in a future work to examine the poem in its literary relations to the other versions of this favorite mediæval legend. The five old Italian sonnets in the second-named work were found by the editor on the parchment lining of a cover of a MS. of the fourteenth century. These sonnets are in the handwriting of this period, but from internal evidence would seem to be much older, probably of the previous century, although Mussafia hesitates to pronounce on this point with certainty. They are interesting philologically and from a literary point of view, not being found in any Italian collection so far known. The last four of the sonnets form a continuous narrative very characteristic of the age. The first of the five is noteworthy from the fact that it contains the *rimalmezzo*, or inner rhyme, besides the usual end rhyme.

—Of interest to students of Provençal literature is another late work by the same author: 'Ueber die Provenzalischen Lieder-Handschriften des Giovanni Maria Barbieri' (Vienna, 1874). Barbieri was, as is well known, the author of a valuable work entitled 'Dell' Origine della Poesia rimata,' in which considerable attention is paid to Provençal lyrical poetry, and several MS. collections are cited. Mussafia endeavors to reconstruct these authorities, and discover whether they are identical with any of the well-known Provençal MSS. of Italy or Paris.

MEMOIRS OF JOHN QUINCY ADAMS.*

WE have already called the attention of our readers to the first two volumes of this important publication. Three more have since been added to it, covering the whole ground from the author's first entrance into public life to his second term as Secretary of State, in May, 1822. The third volume is devoted to the Negotiation for Peace, The Hundred Days, and the Mission to England. The negotiations for peace brought Mr. Adams into intimate relations with Henry Clay, and the collision of these two fiery and imperious natures is worth a careful study. In natural, spontaneous eloquence Mr. Clay was the superior; but in broad culture and in accurate method and untiring industry, Mr. Adams holds the first place in our civil history. Both were subject to sudden bursts of passion, which deprived them for the moment of all self-control. Mr. Adams confesses his weakness with a frankness which commands respect. If Mr. Clay had kept a journal he might, perhaps, have made a similar avowal. "In discussing with them (Gallatin and Bayard)," writes Mr. Adams, "I cannot always restrain the irritability of my temper." On one occasion he used the word "trick" in a manner at which all his colleagues took umbrage. "The use of the word 'trick,'" he confesses, "was harsh and unnecessary. The cor-

* 'Memoirs of John Quincy Adams. Edited by Charles Francis Adams.' Vols. III., IV., V. Philadelphia: J. B. Lippincott & Co.

rect principle in this case is to do nothing that may not be boldly avowed. I should have said this, and no more."

The preparation of notes is a severe trial to his patience :

"We had a short meeting of the mission in the morning to consider the new draft of the answer to the British note ; but Mr. Bayard was not present, and Mr. Russell wished to make a revision of the paper before it was finally discussed. The meeting therefore was adjourned until immediately after dinner, and we then sat until eleven at night, sifting, erasing, patching, and amending, until we were all wearied, though none of us was yet satisfied with amendment. On the part of my own draft, which had been left for consideration, two-thirds were now struck out. The remnant left of mine certainly does not form a fifth part of the paper as finally settled, and it is patched with scraps from Mr. Gallatin, and scraps from Mr. Bayard, and scraps from Mr. Clay, all of whom are dissatisfied with the paper as finally constructed. Each of us takes a separate and distinct view of the subject-matter, and each naturally thinks his own view of it the most important."

The close of the negotiation was marked by a bitter discussion, in which Mr. Clay took the lead. What was to be done with the papers of the commission, which contained the record of the negotiation ? Mr. Clay started the discussion by claiming them for himself. Mr. Adams thought that if they went to any one they should go to him as first commissioner. The other members took part in the discussion, and much unbecoming warmth was displayed. "Mr. Clay," writes Mr. Adams, "now lost all the remnant of his temper, and broke out with 'You dare not, you cannot, you shall not say that there has been a cabal of three members against you ; no person shall impute anything of the kind to me with impunity.' . . . I replied, 'What I dare say, I have dared to say in writing. Gentlemen may draw from it what inferences they please. I am not answerable for them.'" Mr. Adams had felt early in the discussion that he was not a favorite with his colleagues. In September he had written :

"In this debate I had continued evidence of two things. One, that if any one member objects to anything I have written, all the rest support him in it, and I never can get it through. . . . This is a severity with which I alone am treated in our discussions by all my colleagues. Almost everything written by any of the rest is rejected or agreed to with very little criticism either verbal or substantial. But every line that I write passes a gauntlet of objections by every one of my colleagues, which finally issues for the most part in the rejection of it all. I write and propose a great deal more than all the rest together, Mr. Gallatin excepted. I have in the end, I believe, not more than my fifth part in the papers as we dispatch them."

"This," he adds, with a frankness which almost amounts to naïveté, "must be in a great measure the fault of my composition, and I ought to endeavor to correct the general fault from which it proceeds." Every note renews the painful experience :

"In repelling an insolent charge of the British Plenipotentiaries, against the Government of the United States, of a system of perpetual encroachment upon the Indians under the pretence of purchases, I had taken the ground of the moral and religious duty of a nation to settle, cultivate, and improve their territory, a principle perfectly recognized by the laws of nations, and in my own opinion the only solid and unanswerable defence against the charge in the British note. Gallatin saw and admitted the weight of the argument, but was afraid of ridicule. Bayard, too, since he has been reading Vattel, agreed in the argument, and was willing to say it was a duty. But the terms God and Providence and Heaven Mr. Clay thought were canting, and Russell laughed at them. I was obliged to give them up, and with them what I thought the best argument we had."

Another point upon which Mr. Adams differed from his colleagues was the tone of their correspondence with the British commissioners. "The tone of the British notes," he writes in October, "is arrogant, overbearing, and offensive. The tone of ours is neither so bold nor so spirited as I think it should be. It is too much on the defensive, and too excessive in the caution to say nothing offensive. I have seldom been able to prevail upon my colleagues to insert anything in the style of retort upon the harsh and reproachful matter which we receive." On another occasion, he writes on receiving the British note : "We received this day the fifth note from the British Plenipotentiaries. It has the same dilatory and insidious character as their preceding notes, but is shorter."

At last the negotiations are completed, the treaty is signed, and Mr. Adams bids adieu for ever to Ghent, January 26, 1815, and, pushing straight on to Paris, reaches the city in time to be an eye-witness of the Hundred Days. He is presented to Louis XVIII., but not to Napoleon. Louis asked him if he was "in any way related to the celebrated Mr. Adams." This was a distinction ; for "the King, Prince, and Princess seldom speak to any one presented to them." But far more interesting are the friends, old and new, whom he meets in the circle which his diplomatic rank opens to him. First among them is Lafayette, unconscious of the part he is yet to play in that memorable year. There was De Tracy, George Lafayette's father-in-law, whom Lady Morgan called the Locke of France. There was

Marbois, French Consul in the United States during the war, and who, in his history of Arnold's conspiracy, imitated St.-Réal. He calls on Madame de Staël, who is not yet up, but sends him, through her son, an invitation to dinner, which he accepts. Among the guests is Benjamin Constant, of whom he draws an unflattering portrait :

"The conversation was not very interesting—some conversation between the lady and M. Constant, who seemed to consider it as a principle to contradict her. At one time there were symptoms of a conversation arising upon a subject of political economy, upon which she said : 'J'interdis tout discours sur l'économie politique. Ah ! je crains l'économie politique comme le feu.' Immediately after dinner she left us, saying, 'Je vous laisse mon fils, qui est très-aimable,' and went to the Théâtre Français, to see the tragedy of 'Esther.' She invited me to come and see her again, and said she was at home almost every evening. She also apologized for being obliged to leave her company soon 'pour aller au spectacle.'"

Mr. Adams visits the halls of ancient sculpture, and feels that "the Apollo, the Venus, and the Laocoön absorb the consideration of everything else ; the eye of the enquirer begins and ends with them." Of modern sculpture as compared with the ancient, he modestly observes : "I am still not prepared for committing to paper my remarks." If he had always been of this mood, we should not have seen Persico's very bad statues disfigure our National Capitol. He attended the sessions of the courts with a professional interest, particularly in the trials by jury, to which the French mind was not yet accustomed. His days were passed in sight-seeing, his evenings were given up to society, and above all to the theatre. This, indeed, was his favorite recreation, which his early familiarity with French manners and the French language enabled him to enjoy as few foreigners can. Suddenly, it is known that Napoleon is in France. The morning *Moniteur* declares him "a rebel and a traitor," and soon the newsboys raise the cry, "Ordonnance du Roi concernant Napoléon Bonaparte." The news seems to have fallen lightly at first on Parisian ears, for at the opera to which he goes in the evening, the audience call for "Henri Quatre" before the play begins, and, when the Duc de Berri enters, shout "Vive le Roi." Two days pass, and the cry of "Vive le Roi" is still heard at the theatre and "Henri Quatre" is still called for. But Mr. Adams notes as an inauspicious circumstance that his next-door neighbor at the hotel, "the Count de St. Antonio, whose wife is an Englishwoman, left the city this day, having intended to remain here two months longer." At three he goes to the bookseller's to complete his copy of the Bibliothèque des Théâtres and notes on his way a "great number of post-horses, apparently going to take travellers leaving Paris." In the afternoon come the tidings that the British had been totally defeated before New Orleans.

The restlessness invades the theatres, though cries for "Henri Quatre" and "Vive le Roi" are still heard :

"In the box next to me," he writes, "there was a man, his wife, and their son, a boy of nine or ten years of age. The man was in great agitation and anxiety ; he left the box at the end of the second play, and returned after the first act of the third was over. His anxiety was then much increased, and during the rest of the performance he was telling his wife, in short, interrupted sentences, what he had heard. He spoke in a low voice, and I heard only fragments of what he said. He had been to see some friends whom he had found 'très-abattus.' 'It was said that — [I could not hear the name] was killed.' Then some other names. 'Ils croient aller à la fortune.' Then, the 'Duc de Berri a dit qu'il resterait à Paris avec le Roi.' Then, 'on dit que Cambacérès est parti.' Then, 'on attend avec inquiétude les nouvelles de demain.'"

He passes the next evening also at the theatre, where Bourbon songs are still called for. On his way home he meets "numerous patrols of soldiers, national guards, and sentinels at the corners of the streets ; news placarded on the pillars, and clusters of people collecting and attempting to read them by the light of the lamps. I stopped a moment at one of these clusters, when a patrol came up, and the patrol at their head said, in a low voice, 'Dispersez-vous, messieurs, dispersez-vous.' Another patrol, meeting two soldiers in a red uniform, made them stop and all cried 'Vive le Roi.' . . . A handbill of news—'très-satisfaisante'—from Monsieur was circulating, promising the speedy deliverance of Lyons. The agitation in the city has much increased within these two days." The next day he sees Gallatin, and while he was with him General Lafayette came in. "It is ascertained that Napoleon was at Lyons on Friday last, the tenth. The Duke of Orleans, Monsieur, and Marshal Macdonald have returned to Paris. Napoleon had only twelve or thirteen thousand men at Lyons." Mr. Adams still goes to the theatre, the best school for the study of Frenchmen—"the house very thin." "'Henri Quatre' was once played without being called for. The pillars of the Palais Royal are plastered with appeals to arms against Bonaparte." On the 14th he writes, "Met the Baron Bielefeld, who concurred in the opinion prevailing that the Government will be maintained." "A strong spirit has yesterday and this day appeared. The moment of

consternation has passed away, and that of confidence and energy has succeeded. The number of volunteers who have offered themselves at Paris to march against Bonaparte is greater than the Government could accept. A corps of five hundred men has been formed of the students of law, who offered themselves in a body." He sits next to one of them at the opera.

"He appeared to be in great anxiety. He said that he was enrolled in this corps of students at law; that they had been inspected this day, and were to be reviewed to-morrow. They were ordered to appear in uniform, but it was impossible to get a uniform in one day, and he did not think they ought to be required to clothe themselves at their own expense. He did not know what was to happen; he had just finished his studies at the law, and was to have maintained his thesis next week for admission to the bar. Now, God knew what would become of him. He had come to the opera 'pour s'étourdir'; that the disposition of the nation was very good; an immense number of volunteers had offered their services, but 'il n'y a que les militaires.' 'And not all of them,' said the neighbor. 'Several officers dined with me on Sunday. They said they had faithfully served Bonaparte when he was emperor, and would faithfully serve the king now. Many others have the same sentiments, and you may be assured you will have very little to do. It will be all over in a very few days.' This same person speaking to me said, before the play began, 'Perhaps they will announce to us some news from the theatre this evening.'"

"The house was very thin." "Henri Quatre" was called for and played with the usual applause." Mr. Adams is struck by the contrast between the crowded benches of his first coming and the empty benches of the present. Others observe it also, and a discussion goes on near him whether it was owing to the state of public affairs or not.

"The public spirit of Paris now is confident and sanguine. It does not appear that Napoleon has advanced from Lyons. He is undoubtedly then very weak, and formidable forces are marching from all quarters. It is ascertained that a part of the troops as well as of the highest officers are faithful to the king, and Napoleon's soldiers will probably desert him in the end. There is but one sentiment to be heard in Paris."

The theatre is again rapturous over Bourbon songs. Three days later he finds himself in company with Mr. Gallatin and General Turreau. Mr. Gallatin had "heard that Bonaparte would be last night at Auxerre, and he supposed there would be a battle to-morrow. Turreau smiled, shrugged his shoulders, and said: "Une bataille—allons donc!" Next day came tidings that Ney with all his troops had gone over to Napoleon, who will be here to-morrow. There is a great crowd pushing on towards the Carrousel, where the king is to review "the troops who are to march to-morrow morning to meet Napoleon." No appearance of anything like defection to the royal cause was discernible; but the countenances of the attendants at the Tuileries marked dejection. Mr. Adams is told that when "the officers of the garrison of Paris attempted to prevail upon the troops to cry 'Vive le Roi,' the soldiers would say, 'Oh, yes! vive le Roi!' and laugh. They had not a hope that the soldiers would fight for the king." One more night and the doubt passes away. "Mr. Beale came in and told me that the king and royal family were gone. They left the palace of the Tuileries at one o'clock this morning, and took the road to Beauvais. It was but last Thursday that the king at the *séance royale* talked, before the two legislative chambers, of dying in defence of the country. . . . The crowd on the boulevards cry 'Vive l'Empereur!'"

EARL RUSSELL'S RECOLLECTIONS AND SUGGESTIONS.*

"**L**ASTLY, to speak of my own work, I can only rejoice that I have been allowed to have my share in the task accomplished in the half-century which has elapsed from 1819 to 1869. My capacity, I always felt, was very inferior to that of the men who have attained in past times the foremost place in our Parliament, and in the councils of our sovereign. I have committed many errors, some of them very gross blunders. But the generous people of England are always forbearing and forgiving to those statesmen who have the good of their country at heart; like my betters, I have been misrepresented and slandered by those who know nothing of me; but I have been more than compensated by the confidence and the friendship of the best men of my own political connection, and by the regard and favorable interpretation of my motives which I have heard expressed by my generous opponents, from the days of Lord Castlereagh to those of Mr. Disraeli."

In these words the English statesman gives his own estimate of his own career. They might serve for his best epitaph, for they present a truthful account both of his defects and of his merits. It is undoubtedly true that Lord Russell has played a great part in the politics of half a century marked by great political changes. It is undoubtedly true that he has throughout his career had the good of his country at heart; and it is equally true that he has commanded the confidence and esteem of the best men of his "connection." This, and more than this, may be said in his praise, but his character and career have, as he himself points out with dignified candor, their

weak as well as their strong side. In point of capacity he will never take rank with statesmen of the first class. He never possessed the impressive, marked individuality of Brougham; he could not pretend to rival the administrative talent of Peel. In later life he was found wanting in the versatile flexibility of Palmerston, and during his last ministry was completely outshone by the brilliancy of Mr. Gladstone's powers. It is, again, an undoubted fact that Lord Russell has committed "gross blunders." He blundered in not committing himself to the principle of free-trade; he blundered (though he does not yet see the blunder) when he wrote the Durham letter about the titles of the Catholic bishops; he blundered, as he frankly admits, in his dealings with Lord Palmerston in 1852. His whole connection with the Aberdeen Ministry was, as he himself avows, a mistake. He showed little sagacity when, on the eve of great changes, he recommended the public to "rest and be thankful"; and the greatest of his blunders—the failure to seize the *Alabama*—cost his countrymen some millions of money and no small amount of diplomatic trouble. Add to all this, that Lord Russell has from his youth upwards labored in the service of the people, yet has never been popular. His reward has been, as he himself feels, the esteem of the best men of his "connection"; but though he has gained the respect he has never gained the affection of the nation. How comes it, then, that a man not of first-rate talents, not a great administrator, not a very sagacious politician, not one endowed with the gifts which captivate popular favor, has nevertheless played a leading part for half a century in English public life? The question is a curious one, and the answer to it throws some light on the character both of English politics and of Lord Russell.

The most obvious cause of Lord Russell's success has been the strength of his "connection." Even now, at a time of what is called "democratic progress," the Liberal party choose as their leader a man who, as far as the public knows, has no one quality for leadership except that he is the representative of the Cavendishes. If this is the course adopted by a meeting presided over by John Bright, it is easy to estimate the importance of "connection" at a time when Birmingham had no members and no Quaker had ever sat in Parliament. In 1813, a Whig magnate who thought fit to take up popular principles was felt to perform an act of condescending patriotism, and this feeling was not unnatural at a period when to be a Whig was to sacrifice all chance of ever becoming a minister. This was the time when Lord Russell entered politics, and he was exactly the man for his day. From the very first he took up the attitude which he has occupied throughout his life. One of his earliest utterances was delivered at a dinner to commemorate the birthday of Mr. Fox. In reply to the toast, "The houses of Russell and Cavendish, and may they be ever united in the cause of freedom," "It is a satisfaction to me to reflect," he said, "that your favor is obtained not by the *accidental qualities of talents and power*, but by a steady adherence to those principles which animated Mr. Fox through life, and holding it on that tenure I trust it will never be forfeited." The words we have underlined are remarkable, especially in a young man of twenty-one. He bases his claim to favor not on talent, which he regards as an "accidental quality," but on strict adherence to the Whig tradition, which is, in his mind, the essential qualification for a statesman. Thus, at the opening of his public life, Lord Russell bound himself to his connection, and the party rewarded his devotion by their fidelity; what, however, must be remarked is that this policy was perfectly honest and natural on his part. He clung to the Whig party because he believed in Whig principles, and was by character, quite as much as by connection, a Whig to the core. Belief in Mr. Fox, belief in the Revolution of 1688, belief in civil and religious liberty, belief in Whig statesmen, and, above all, belief in himself, are so closely blended in Lord Russell's mind that, though they may be distinguished, they cannot be separated. Nor should it be imagined that this strict faith in a particular political creed (and we must add one of the best political creeds which the world has known) shows a want of intelligence or independence. Lord Russell has no doubt preserved tenaciously the sentiments of his youth; but the views which are now received by every sensible Englishman were, when he learnt them, startling paradoxes, rejected by almost every statesman of respectability and weight. Lord Russell was, moreover, prepared to think for himself; and at a time when most of his associates were opposed to the war with France, gave all his sympathies to the national struggle with Napoleon.

But neither the support of a powerful connection, nor even the capacity for seizing and adhering to a definite body of political principles, would of themselves account for Lord Russell's political success. He has always possessed two qualities which, if they do not constitute a great man, yet go far to raise a man of average talent above the level of his associates. These are boldness and honesty. Lord Russell has been assailed with as

* "Recollections and Suggestions, 1813-1873. By John Earl Russell." London: Longmans; Boston: Roberts Bros.

much abuse as most men, but no one ever ventured to question his courage. Sydney Smith's remark that his lordship would be prepared to take command of the Channel Fleet at a moment's notice, loses nothing of its point when it is discovered to have originated in a joke of Lord Russell's own; and though the *mot* may have been prompted by spleen, it has been remembered because all the world felt that it hit off the salient trait of Lord Russell's character. His natural intrepidity comes out oddly enough in his last work. He writes quite naturally with reference to the resignation of the Reform Ministry in 1832: "This was the only time during my whole political life in which I have felt uneasy as to the result." Let any one reflect for a moment on all that this sentence implies. Here is a man who has been at the head of affairs for years; who has conducted the English nation through more than one crisis; who, knowing himself to be liable to commit "gross blunders," has been compelled to make the most momentous decisions; yet, reflecting calmly on the events of his career, he can remember but one moment at which he felt uneasy, and that was a moment when England appeared on the verge of a revolution. The statesman who has never but once "felt uneasy" as to the result of his action certainly possesses one at least of the qualities which fit a man to be a leader of men. Nor is this fearlessness in any way affected. The writer who in his old age provokes Mr. Lowe to literary combat, and criticises the policy of Mr. Gladstone in a tone of severe censure which might certainly call forth a bitter rejoinder from a not very patient controversialist, cannot at any rate be called timid. This absence of fear is, moreover, closely allied with the honesty which after all constitutes the strength of Lord Russell's character. It costs little for an ex-minister to acknowledge that he has committed errors; but when Lord Russell says, in so many words, that he and he alone was responsible for the escape of the *Alabama*, and that he sees clearly his mistake in not having arrested the ship, even those who most regret his error cannot help feeling a respect for the manly honesty of his character.

In analyzing the causes which enabled Lord Russell to take a leading part in English politics, it is impossible not to separate his position and his character, but, in matter of fact, the two are hardly separable. There is much to be said against party connection and party tradition, but they have their good side. A minister who relies on the favor and friendship of the best men of his connection feels that he has firmer ground on which to rest for support than can be afforded by the uncertain and transitory good-will of the people. He may very likely be narrow, haughty, unsympathetic, but he is not likely to be wanting either in firmness or boldness. Dependence, again, upon the good-will of a connection is, if the connection be anything better than a gang of adventurers, certain to produce adherence to fixed principles or, at lowest, fixed prejudices. It is impossible to conciliate the respect of friends, and yet day by day change one's principles to suit the convenience of the moment. The influence of a party may to some characters be a source of vigor and an aid in adhering to fixed principles, and that the Whig connection has fostered all Lord Russell's virtues will, we think, become apparent to any one who reads with intelligence the wordy and diffuse but not uninteresting autobiography which he has placed before the world in the form of recollections and suggestions. No doubt the party bonds which, so to speak, sustained his character, have also been fetters by which its development may have been checked. His nature and connections have made him a most patriotic Whig, but he has never, like some few English statesmen, been able to convince the country that he could forget his party and think only of the nation. This defect has not arisen from any want of patriotism, but from the simple fact that, rightly or wrongly, Whig principles and patriotism have always seemed to Lord Russell to be one and the same thing. Nothing sets his character in a clearer light than a comparison of him with his great opponent. Peel, though educated a Tory, and the founder of the English Conservative party, was in character, as we pointed out the other day, a middle-class statesman imbued with the spirit of modern politics. His greatest act was to break with his party, and he thereby became the statesman of the nation. Lord Russell passed his youth fighting an up-hill fight in favor of popular principles, and owes his fame to having, at the age of forty, carried through what seemed at the time a measure of revolutionary reform. But Lord Russell, though he broke down by his measures a great system of aristocratic government, has remained to the end of his life an aristocratic statesman. In spirit and in tone of mind he belongs to the past generation. The reward of his patriotic services has been the friendship and esteem of the "best men" of his "connection." For this he looked and this he has obtained, but the very fact that he has never ceased to be the statesman of a party has prevented him from becoming a national minister. Yet even this want of widespread popularity need not be entirely the subject of re-

gret either for him or for his admirers. He and his party have shared the same fate. They labored for the right of the people when to serve the people was to incur unpopularity. When the popular power had increased, they disdained to captivate popular applause, and in carrying such measures as the new Poor Law, conferred an immense benefit on the nation whilst incurring an amount of odium which few modern statesmen would have the courage to meet. Lord Russell and his associates have already gained their reward in the esteem of the wisest and best of their contemporaries, and rational and generous liberals on both sides the Atlantic will in the long run easily forgive the errors of statesmen who certainly have at heart the cause of human freedom as well as the good of their country.

TAINÉ'S NOTES ON PARIS.*

THIS is a very clever work, but it is by no means one of the author's most successful. Indeed, though a brilliant failure, no one, we believe, has ever pretended that it was anything but a failure. The author has tried a *tour de force*, and missed his effect. He has attempted to force his talent, but his talent has resisted and proved fatally inflexible. He has wished to be light and graceful, but he has succeeded only in being most elaborately and magnificently grave. For M. Taine to attempt lightness was, it seems to us, a most ill-advised undertaking. It is true that he has been charged, as the historian of English literature, with a certain presumptuous levity of judgment; but in form, at least, he is always solid, weighty, and majestic. There are few writers whom, as simple writers, we prefer; his style is full of color and muscle and savor; but we never suppose ourselves, in reading it, to be dabbling in light literature, and we rarely take it but in moderate quantities at a sitting. If M. Taine treats a subject at all, he bears heavily; the touch-and-go manner is a closed book to him. Here he has tried the touch-and-go manner, and the effect is very much like hearing a man with a deep bass voice trying to sing an air written for a thin tenor. There is such a thing as being too serious to succeed in a *jeu d'esprit*, and this has been M. Taine's trouble. A writer of half the value would have done much better with the same material, and, indeed, we remember that at the same time that M. Taine's work appeared, eight years ago, and was voted by all good critics a rather melancholy mistake, M. Gustave Droz was making his literary fortune with 'Monsieur, Madame et Bébé,' being acknowledged to have hit the nail on the head with his little silver hammer far more justly than the historian of English literature with his formidable battering-ram. Yet one reads the book, as a failure if not as success, and, all abatements made, we feel ourselves to be dealing with a man of extraordinary talent. It is very possible that it may have even more readers in English than in French, and to the American public seem decidedly entertaining. We apparently are capable of consuming an inordinate quantity of information, veracious or the reverse, about Paris, and the present volume is sufficiently free-spoken as to those social mysteries which are deemed typically Parisian. Many readers will take much satisfaction in reading in English what could not possibly with decency have originally been written in English. M. Taine is not easy to translate, but, well translated, he need be but a trifle less effective than in his own tongue. He loses very much less in a foreign version than his great fellow-critic Sainte-Beuve; for his chief characteristics are not subtlety and fugitive, idiomatic grace, but vigor and amplitude and a certain imaginative splendor, such as the English language is peculiarly qualified to render. To translate Taine, indeed, is in a measure to make him restore what he has borrowed, for there is a large English element in his style. The present translation has been very cleverly done, and the right word often found where some taste was required to select it.

Exactly what M. Taine desired to do we hardly know; what he has done is to produce a singular compound of Stendhal and Théophile Gautier. Stendhal, as all readers of our author know, is the divinity of whom M. Taine is the prophet. Stendhal invented a method of observation which, in M. Taine's opinion, renewed the whole science of literary and social criticism. This method M. Taine has constantly applied—first to authors and books, then to works of art, and at last, in this case, to men and women, to a society. It was in this last fashion that Stendhal himself chiefly used his method; he was not a literary critic, he was a practical psychologist; he lived most of his life in Italy, and his work was the study and description of human nature in Milan, Florence, and Rome. He accumulated facts and anecdotes; he judged that there were none too trivial to serve as a stroke in the portrait; and he has left a storehouse of good, bad, and indifferent ones. M. Taine has proposed to do for Paris what Stendhal did for

* Notes on Paris. The Life and Opinions of M. Frederic-Thomas Graudinorge, etc. By H. A. Taine. Translated by John Austin Stevens. New York: Henry Holt & Co. 1878.

The present series in French

Milan; but he has come fifty years later, and he is consequently much more complex and needs a great deal more machinery. He is picturesque, for instance, both by necessity and by taste, which Stendhal was not at all, in intention; his book overflows with the description of material objects—of face and hair, shoulders and arms, jewels, dresses, and furniture—and it is evident in all this description that, although M. Taine is a man of too individual a temperament to be an imitator, he has read Théophile Gautier, the master in this line, with great relish and profit. He is shooting in Gautier's premises, and when he brings down a bird we cannot help regarding it as Gautier's property.

M. Taine has endeavored to imagine a perfect observer, and he has given this gentleman's personality as a setting to his own extremely characteristic lucubrations. His observer is M. Frederic-Thomas Graindorge, a Frenchman, a bachelor, a man of fifty, who has made a fortune by hog-packing in Cincinnati, and returns to Paris in the afternoon of his days to take his ease, see the polite world in epitome, and systematize a little his store of observations. He has gone through the mill and been ground very fine; he was at school at Eton, as a boy; he was afterwards at the University of Jena; he has passed twenty years in our own great West, where his adventures have been of the most remarkable description. In his local color, as to this phase of his hero's antecedents, M. Taine is very much at fault; and this is the greater pity, as he has never failed to profess that one should speak only of that which one directly and personally knows. He knows the manners and customs of our Western States in a very roundabout and theoretical fashion; he seems to be under the impression, for instance, that the picturesque art of hog-packing (up to the time of our late war) was carried on in Cincinnati by slave-labor. "I desire only to listen and to look," says M. Graindorge; "I listen and I look; no woman is displeased at being looked at; nor any man at being listened to. Sometimes, as I button up my overcoat, an idea comes to me: I write it down when I go home; hence my notes. You see that this is not a literary matter." It is much more literary than M. Graindorge admits; and his notes have been for M. Taine quite as much an exercise of style as an expression of opinion. He writes admirably; he writes too well; he is simply the very transparent mask of the real author. He is, therefore, as a person, a decidedly ineffective creation, and it was hardly worth while to be at so much labor to construct him. But the point was that M. Taine desired full license to be sceptical and cynical, to prove that he had no prejudices; that he judged things not sentimentally but rationally; that he saw the workings of the *machine humaine* completely *à nu*, and he could do all this under cover of a fictitious M. Graindorge more gracefully than in his own person. M. Graindorge is the most brutal of materialists, and the more he watches the great Parisian spectacle, the greater folly it seems to him to be otherwise. He finds it all excessively ugly, except in so far as it is redeemed by a certain number of pretty women in beautiful dresses, cut very low. But though it is ugly, it is not depressing; exaltation and depression have nothing to do with it; the thing is to see—to see minutely, closely, with your own eyes, not to be a dupe, to find it very convenient that others are, to treat life and your fellow-

mortals as a spectacle, to relish a good dinner, and keep yourself in as luxurious a physical good-humor as possible until the "machine" stops working. That of M. Graindorge ceases to operate in the course of the present volume, and the book closes with a statement of his "intimate" personal habits by his secretary, in lieu of a funeral oration.

Mendelssohn: Letters and Recollections. By Dr. Ferdinand Hiller. Translated with the consent and revision of the author. (New York: Macmillan & Co.)—These recollections can hardly be called more than agreeable and smooth reading. There is nothing in them that is exciting or very new. Mendelssohn's life was not full of incident, and his character was so simple, so natural, and so pure that it is impossible to imagine anything in the nature of revelations about him from any quarter. Not, indeed, that Dr. Hiller promises revelations; for he does nothing of the sort. But we have been surprised in looking over his book, and going again through the brief story of Mendelssohn's life, to reflect how little striking it was. He was born, he wrote beautiful music, he loved his family, his friends, his wife, he died, and was mourned by them and by all lovers of good music. There is hardly anything in Mendelssohn's life that to a person not musical would not be profoundly uninteresting; and we can easily imagine a person "without an ear" convincing himself by the perusal of Dr. Hiller's book that there was, after all, "nothing in it" beyond an organized conspiracy on the part of half the world to persuade the other half that, of the two, it had the higher and more delicate perceptions—for no other reason than that it could pretend to discover a beauty in what to the unmusical is merely a disorderly succession of sounds. But we would advise all lovers of music and of Mendelssohn to read Dr. Hiller's recollections, as they are those of an intimate friend, whose attachment and interest were founded no less on professional than on general sympathies, who understood Mendelssohn thoroughly, and is therefore well qualified to stand as intermediary between the memory of his friend and the public.

* Publishers will confer a favor by always marking the price of their books on the wrapper.

BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices.
Baird (Prof. S. F.), Annual Record of Science and Industry for 1874.....	(Harper & Bros.)
Baker (G. A., Jr.), Point Lace and Diamonds: Poems.....	(F. B. Patterson)
Berners (Dame J.), Treatise of Fysshynge.....	(H. K. Van Siclen) \$1 50
Calvert (G.), Essays Aesthetical.....	(Lee & Shepard) 1 50
Cazelles (Dr. M. E.), Outline of the Evolution Philosophy.....	(D. Appleton & Co.)
Charles (Mrs. E.), Conquering and to Conquer: a Tale.....	(Dodd & Mead) 1 25
Cooke (M. C.), Fungi: Their Nature and Uses.....	(D. Appleton & Co.)
Cooke (Commander A. P.), Text-book of Naval Ordnance and Gunnery.....	(John Wiley & Son)
Locke (D. R.), The Morals of Abou Ben Adhem.....	(Lee & Shepard)
Lockyer (J. N.), Astronomy (Science Primer).....	(D. Appleton & Co.)
Papillon (F.), Nature and Life.....	(D. Appleton & Co.)
Sargent (N.), Public Men and Events, 1817-1853, 2 vols.....	(J. B. Lippincott & Co.)
Schem (Prof. A. J.), Statistics of the World.....	(Lee & Shepard) 0 50
Spangler (Helen K.), The Physician's Wife: a Tale.....	(J. B. Lippincott & Co.)
Smith (B. B.), Mohammed and Mohammedanism.....	(Harper & Bros.)
Thomas (J.), Straits of Malacca, Indo-China, and China.....	(Harper & Bros.)
Workshop, No. 4, swd.....	(E. Steiger) 0 50
Westropp (H. M.), Ancient Symbol Worship, 2d ed.....	(J. W. Bouton)

Taine's Notes on Paris.

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"THE 'READER,' page iii, notices Professor Cairnes's recent lectures on Political Economy, 'Cambridge Sermons,' by Rev. Dr. Edward A. Abbott, and 'The Gospel and Modern Life,' by Rev. J. Leavellyn Davies. Messrs. Macmillan's announcements for the week are on the same page.



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